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- Political Fiqh
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Research Article

Revelation in Mullā Ṣadrā's Political Philosophy¹

Ahmad Reza Yazdānī Muqaddam²

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Abstract

The subject of this article is the analysis and explanation of revelation in Mullā Ṣadrā's political philosophy. It claims that the analysis and explanation of revelation in Mullā Ṣadrā's political philosophy lies in the framework of the tradition of Islamic political philosophy. In the tradition of Islamic political philosophy, analysis of revelation resolves two main issues regarding the political philosophy: government and law. Thus, with regard to analysis and explanation of revelation in Mullā Ṣadrā's political philosophy, it is said that a prophet – the one who receives divine revelation, especially the Prophet Muhammad – enjoys the necessary features for being a ruler. In the next levels, the Infallible Imams also enjoy those features. Human's social life and his social perfection require Sharī'a (i.e. the religious law). The philosophy of the Sharī' laws is rooted in acquiring divine knowledge and protecting lives and properties. The Sharī' laws have been organized on the basis of the correspondence of the worlds, the effect of actions on the souls and the effect of soul's states on body. Therefore, the Sharī' laws lead, on the basis of the relationship between the worlds of

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sense and ideals and reason, to the mutual effect of the worlds. This article uses the method of analysis of the Islamic political philosophy and Mullā Ṣadrā's political philosophy. The following is among the results of this study: the philosophy of jurisprudence or the legal philosophy, as explained by Mullā Ṣadrā, can have serious results in the realm of jurisprudence, law, politics and legislation.

Keywords

revelation, political philosophy, Mullā Ṣadrā, government, law.

Introduction

One of the first factors that inspired me to study this subject was Imam Khomeini's speech on divine revelation. Regarding divine revelation, Imam Khomeini would say that it is the Prophet (PBUH) who makes the angle of revelation come down.¹ In Mullā Ṣadrā's analysis, as we will see, coming down of the divine revelation is preceded by the spiritual ascend of God's messenger. Thus, prior to divine revelation, there is *the Ascend* of the perfect man. No doubt, Mullā Ṣadrā's analysis is placed in the tradition of the

1. What is the descent?... what is coming down in the heart? ...what is *Rūḥ al-Amīn* (the trusted angle) and how does *Rūḥ al-Amīn* enter the heart of God's messenger? What is *Laylat al-Qadr*?... (Imam Khomeini, 1389 SH., vol. 17, pp. 489-490).

He has revealed the Quran in Ramadan. The Quran is a revealed [book] that has entered after passing the covers of light in Ramadan to the blessed heart of God's messenger; and revealed again up to the point wherein it is stated by the tongue (Imam Khomeini, 1389 SH., vol. 18, pp. 489).

The blessed month of Ramadan may be blessed for it is the time when God's greatest saint, i.e. God's messenger, has achieved [God's proximity] and after that, he has brought down the angels and the Quran. With his power, the angels come down; it is with his power that the Quran is sent down and the angles come down. The greatest saint achieves the truth of the Quran in the blessed month and in *Qadr* night; and after that, he makes the holy Quran come down through the angels – who are all his subordinates – to the extent that he can say it for the people (Imam Khomeini, 1389 SH., vol. 19, p. 285).

Ramadan is blessed because it is the time when the [divine words] were revealed; or in other words, the spirituality of God's messenger revealed them (Imam Khomeini, 1389 SH., vol. 20, p. 248). Ramadan is a month when the trusted angle, Gabriel, came down to God's messenger; and in other words, the holy Prophet brought down the trusted Gabriel to this world (Imam Khomeini, 1389 SH., p. 249; also c.f. Imam Khomeini, 1394 SH., p. 184, 343; Imam Khomeini, 1392, p. 162).

Islamic political philosophy; and the elements and general framework of his work are under the influence of philosophers such as Fārābī, Avicenna, Sheikh of *Ishrāq*, and Naṣīruddin Ṭūsī. Therefore, in such a framework, Mullā Ṣadrā's view and analysis are mentioned and investigated. Mullā Ṣadrā, like any other thinker, owes to his preceding thinkers. Similarly, he has, like any other great thinker, his own innovations and privileges, which we would mention here. In short, Mullā Ṣadrā, while preserving the framework, the elements and the concepts of the discussion provided by Fārābī, Avicenna and others, has his different analyses and views, which give him a unique characteristic. Clearly, the emphasis on the "tradition of Islamic political philosophy and the total elements and framework of the task" does not refer to the philosophical system.

In the following passage, first the revelation and political philosophy have been defined. Then, the revelation in the political philosophy is dealt with so that the ground is prepared for proposing Mullā Ṣadrā's view. In stating Mullā Ṣadrā's view on revelation, we focus our discussions on two of his works, i.e. *al-Mabda' wal-Ma'ād* and *al-Ḥikmat al-Muta'aliya*. The discussion in *al-Mabda' wal-Ma'ād* is the primary form of the discussions expanded later in works such as *al-Shawāhid ar-Rubūbiyya*. *Al-Ḥikmat al-Muta'aliya* is also Mullā Ṣadrā's main work and its discussions overlap with works such as *Mafātīḥ al-Ghayb* and *Asrār al-Āyāt*. Following the projection of Mullā Ṣadrā's views and those of other Muslim philosophers, questions arise on the relationship between religion and philosophy, the Prophet and the philosophers, coincidence or non-coincidence of divine revelation in all worlds, etc. In the concluding section, we will deal with these questions.

What is Revelation?

The literal meaning of 'revelation', as appears in *Maqā'īs al-Lughā*, is 'the hidden infusion of knowledge or other information'. *Maqā'īs al-Lughā* regards indication, book, letter, and any other forms of infusion to others as instances of revelation. *Miṣbāḥ al Munīr* and *al-Āyn* add the meanings such

as ‘speed’, ‘motivating’, and ‘inspiration’ to the above list. *Mufradāt* defines ‘revelation’ as ‘quick indication’ (Muṣṭafawī, 1371 SH., vol. 13, p. 55). The author of *al-Taḥqīq fī Kalimāt al-Qur’ān* considers the literal meaning of revelation to be ‘infusion of something in the inward of someone else’. This infusion can be genetic or by entering the heart. The subject of the revelation can be knowledge, faith, light or other things. The revealer can be a man, an angel or someone else. Revelation can be done through a medium or directly. Anyway, revelation refers to knowledge and certainty (Muṣṭafawī, 1371 SH., vol. 13, p. 56; Yazdānī Muqaddam, 1395 SH., pp.391-392).

The definition of revelation for Fārābī is as follows: “revelation is a process that begins from effusion of active intellect to the theoretical rational soul and leads to its spillage from the theoretical rational soul to practical rational soul, and from those two to imaginative soul, and from imaginative soul to the common sense, and from there to the other senses so on.” In this process, the receiver of revelation is, in the first place, the philosopher and the thinker; and in the final place, the receiver is the prophet and the cautioner (Fārābī, 1991, pp. 123-126, 111-116). Revelation can have different forms; it may occur in sleep or wakefulness and be in the form of intelligibles or details; some part of it may be in sleep and some other part may be in wakefulness; some part of it may be in the form of intelligibles and the other part may be in the form of details (Fārābī, 2008, pp. 4-5).

The definition of revelation for Avicenna can be summarized as follows: revelation is the reception of divine truths from *Rūḥ al-Amīn* (i.e. Gabriel) or the active intellect. Since the human’s soul, which is from the world of divine command, receives revelation from the angel of revelation who is also from the world of divine command, this reception occurs in the world of divine command; and since revelation is the relationship of the soul with the soul, the communication between them is not in the form of words; rather, it is the monolithic infusion of divine truths to the prophet’s soul. This reception occurs in the world of divine commands. Thus, it is timeless. The

active intellect is the divine word, and the divine word is the very truths and sciences infused into the prophet's soul. Therefore, the infusion of revelation is the infusion or immanence of the active intellect (=the divine word= the truths and sciences) into the prophet's soul. This infusion and immanence can be regarded as the simple intellect and without division or synthesis, which is gradually developed in the prophet's soul as required by the needs, conditions and demands, turning into the individual intellect. The simple intellect, which appears in the level of the connection between the imperative being (*mowjūd amrī*) and the imperative being, and is monolithic and timeless, turns into imaginative and sensible things in coming down and spreading to faculties of the soul and gets form, manifesting in the form of words for the faculties of the soul and is presented to addressees. In view of the rational and internally scientific core of the revelation, the people of knowledge and reason find out that the divine prophets consider the divine transcendental truths beyond the appearances of speech, and want to communicate the divine knowledge and truth to human beings (Yazdānī Muqaddam, 1395 SH, pp. 162-197).

We continue our discussion by presenting definition of revelation offered by Mullā Ṣadrā. In short, Mullā Ṣadrā has offered a more complete and more detailed form of divine revelation: the prophet's sacred soul receives the divine revelation in all worlds, and then what he has received gets the rational form for him, and the prophet receives the sensible form of the angel and its words through senses. Since the aforementioned worlds are interrelated, what is represented in the worlds of senses is the impression of what is received in other worlds. Therefore, the abovementioned representation is the very manifestation of the matters of the celestial world.

In Mullā Ṣadrā's view, the prophet does not receive revelation from the active intellect; rather, he receives it from the exalted God in His unique position. In other words, the prophet receives revelation in all positions, states and ranks of the existence; and the revelation is emanated to the

prophet in each rank, state and level of existence to one position of the prophet's positions: in the world of intellect to intellect, in the world of ideals to the imagination, and in the external world to the prophet's senses. It seems that the tenets and theories such as gradation of existence, the simple truth of everything, coincidence of the worlds, the soul in its unity is totally strong, unity in plurality, longitudinal look at the universe, and the union of the intellect and the wise and the intelligible, have theoretically provided the possibility of such an analysis for Mullā Ṣadrā. In this way, Mullā Ṣadrā's analysis is a different and new one.

What is the Political Philosophy?

The political philosophy is a philosophy about a certain subject, i.e. politics. According to the traditional view of the political sciences, the 'political affair' is related to government. Thus, the questions of the political philosophy are as follows:

How should government act?

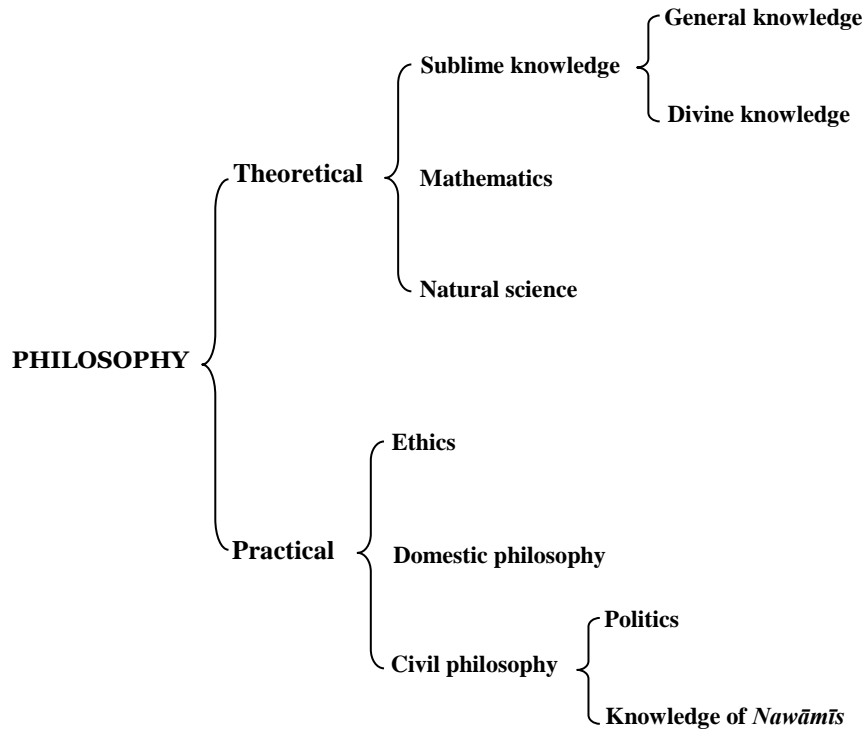
Which moral principles should govern the government's behavior towards the citizens?

What kind of political order should be created by the government?

Thus, the political philosophy deals with a justification of the government and what it must or must not do (Swift, 2001, pp. 21-22). The political philosophy studies the ideal form of the political government and the realm and the nature of what should government do. The abstract philosophical principles discussed in political philosophy prepares a criterion for us to be able to judge about the political institutes, criticize them, and – if necessary – modify or substitute them (Jacobs, 1997, pp. 22-23). The political philosophy seeks to analyze the political concepts (Plamenatz, 1960, p. 48). Two main and central concepts in the political philosophy are government and law (Quentin, 1960, p. 16).

Political Philosophy in Mullā Ṣadrā's View

In this regard, Mullā Ṣadrā divides affairs into practical and non-practical and calls the philosophy pertaining to them the 'practical philosophy' and the 'theoretical philosophy' respectively (Ṣadrūddīn Shīrāzī, n.d., p.3), and introduces the theoretical philosophy as divided into three types: first, the sublime knowledge that consists of general knowledge and divine knowledge; second, middle philosophy or the mathematics and educational knowledge; and third, natural philosophy. The practical philosophy whose subject is the human soul as having the attributes of morality and habits is divided into three types, because the human's policies and tactics are either specified to one person, which is called ethics, or not specified and are social. The society is either domestic (i.e. pertaining to one's home) or civil. The philosophy pertaining to the former is domestic philosophy and the one pertaining to the latter is called civil philosophy. Mullā Ṣadrā mentions the fourfold division of the practical philosophy and says that some philosophers divide the practical philosophy into four types; that is, they divide the civil philosophy into two types, because the subjects of civil philosophy are of two types; they belong either to ruling and sultanate or prophethood and religious law (*sharīʿa*). The former is called the politics and the latter is called the science of *nawāmiṣ* (i.e. laws). Similarly, the theoretical philosophy is sometimes divided, by classifying the sublime knowledge into general and divine, into four types. Plato and Aristotle each has a book on the *sharīʿa* and prophethood, which are called *nawāmiṣ* (pl. of *nāmūs*). Each of them has another book on politics and government (Ṣadrūddīn Shīrāzī, n.d., pp. 4-5). Mullā Ṣadrā considers Avicenna's opinions in this regard (Avicenna, 1360, pp. 1-8; idem, n.d., p. 242-243). The summary of Mullā Ṣadrā's view regarding the divisions of theoretical and practical philosophies is shown in the following diagram:



The basic issue of political philosophy in Islam

For Rosenthal, the main issue of the political philosophy in Islam is the confrontation of the revelational law or *sharīʿa* and the ordinal or non-religious law of the government (Rosenthal, 1958, pp. 110-142). For Rosenthal, the Muslim political philosophers would see the issue of the intellect and revelation as a confrontation between the divine law and the rational human laws and, in an attempt for reconciling the revelation with the intellect, would emphasize that 'truth' is one and that the final goal of revelation and political philosophy is the same. From the Muslim political philosophers' viewpoint, one can claim a harmony between the revelation and the political philosophy (Rosenthal, 1958, pp. 107-108).

For Strauss, the basic issue differentiating the Islamic political philosophy from the modern political philosophy is giving importance to intellect and

revelation simultaneously. This is while the modern political philosophers such as Hobbes, Locke and Spinoza believed that the political order can be founded on the basis of the rational and secular principles. In Strauss's view, one must consider the difference between the Islam and Christianity and their religious doctrines to understand the difference between the Islamic political philosophy and the Christian political philosophy. Islam emphasizes the political feature of the revelation. The Prophet is both the political leader and legislator. Thus, subjects such as the nature of revelation and the nature of prophethood are among the political subjects. The Muslim political philosophers regard dealing with religion and its doctrines as the duty of the political philosophy, because for them religion is a political reality. Therefore, in the Islamic history and civilization, unlike the Christian history and civilization, the science that deals with the religion is the political philosophy, not the philosophy of religion (Riḍwānī, 1385SH., pp. 114, 116-117, 176).

Revelation in the Political Philosophy

Theorizing about revelation in the political philosophy in the Islamic history and civilization goes back to Fārābī's¹ works in the scientific sphere of political philosophy. In the western history of political philosophy, one can see theorizing about the revelation and the scripture, reference to the scripture and adducing it, and discussion about the revelation, prophethood, and the scripture in works written by Hobbes, Locke and Spinoza. With the path covered by the Muslim philosophers and the Islamic political philosophy in a direction opposite to Hobbes² and Spinoza,³ there emerges a

1. For the Fārābī's views, see Yazdānī Muqaddam (1395 SH), pp. 59-75, 403-413.

2. Hobbes (1380 SH), pp. 122-123, 126, 268-270, 316-318, 329-330, 333-334, 340-353, 360-373, 377, 380, 395, 452-453, 472, 480-481, 491; For Hobbes' view on the relationship between revelation, government and legislation, see pp. 353-360, 396-405, 405-411, 411-479, 479-492.

3. Benedict Spinoza, 1670, pp. 115, 119-123; Leo Strauss, 1989, *On a Forgotten Kind of Writing*, p. 196; idem, 1989, *Progress or Return*, pp. 411, 412, 417; idem, 1989, *What is political philosophy?*, p. 41;

mutual euphony between revelation and political philosophy. As the Muslim philosophers believe and the Islamic political philosophy says, on the one hand, the prophets have called us to rationality and philosophy, and on the other hand, the political philosophy as a scientific discipline analyzes the revelation and prophethood, giving standards for evaluation of the right revelation and prophethood. With the analysis offered by the Muslim philosophers for revelation, the possibility and necessity of revelation is recognized. In addition, revelation finds a philosophical and theoretical justification, its level of understanding goes higher than the apparent and popular level, and requires a philosophical understanding along with reference to philosophical foundations. Thus, their analysis of revelation leads to a mutual legitimacy of revelation and political philosophy. On the one hand, the political philosophy endorses revelation and, on the other hand, the requirement for understanding revelation is the philosophical foundations and analysis; and this is quite different from the fate of the revelation and political philosophy in the modern discourse. The modern discourse brings about the mutual denial and mutual de-legitimization (Strauss, 1989, pp. 90-95; idem, 1989, Progress or Return? The Contemporary Crisis in the Western Civilization, p. 361 on, 405-420). No doubt, the different fate of revelation and political philosophy in the modern discourse has been affected by the real and historical revelation in the hands of the modern thinkers, which is different from the real and historical revelation for the Muslim philosophers.

Mullā Ṣadrā's view on revelation

Mullā Ṣadrā investigates the revelation and prophethood in a number of his works. It seems that he hoped to be able to discuss prophethood in a more detailed discussion. Probably his final form of study regarding the prophethood is what he presents in *Mafātīḥ al-Ghayb* and other works. Here,

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idem, 1989, 'Persecution and the Art of Writing'; idem, 1989, *Jerusalem and Athens*, pp. 3226 and 365.

we focus our discussion on two of his works entitled *al-Mabda' wal-Ma'ād* and *al-Ḥikmat al-Muta'āliya*. Mullā Ṣadrā's discussion in *al-Mabda' wal-Ma'ād* is the initial form of discussions developed later in works such as *al-Shawāhid ar-Rubūbiyya* in a new form. *al-Ḥikmat al-Muta'āliya* is Mullā Ṣadrā's main work wherein he has presented his discussions in a more complete form. Besides, the subjects and discussions offered by him in *al-Ḥikmat al-Muta'āliya*, *Maḥāṣin al-Ghayb* and *Asrār al-Āyāt* are somehow overlapping.

Explanation of revelation in *al-Mabda' wal-Ma'ād*

Mullā Ṣadrā's Analysis on revelation in *al-Mabda' wal-Ma'ād* is based on the model of Fārābī's analysis in *Mabādī Ārā Ahl al-Madīna*. Mullā Ṣadrā has added his illuminative (*Ishrāqī*) view about the ideal world and his epistemological view as well as the Prophet's threefold features posed by Avicenna, and thus he has completed Fārābī's view and analysis. Similarly, he has made use of Avicenna and Sheikh Ishrāq's analysis in philosophy of legislation.

Mullā Ṣadrā's explanation of revelation in *al-Mabda' wal-Ma'ād* is that human's soul is apt to manifest the truth of things. Some veils hinder the manifestation of truth of things and also hinder the manifestation of what is in the Preserved Tablet (*Lowḥ Maḥfūz*) in the soul. If there were no such veils, the truths of sciences would manifest to the prophet's soul from the mirror of intellect or the Preserved Tablet. Removing the existing veil is sometimes done in the hands of the human, and sometimes with the breeze of the divine grace (Ṣadrūddīn Shīrāzī, 1381 SH, vol.2, pp. 807-808).

To achieve the explanation and prepare the addressee's mind, Mullā Ṣadrā starts his discussion from the dream and its definition (Ṣadrūddīn Shīrāzī, 1381 SH, vol.2, p. 781). With the freedom of human's soul from being occupied with sensory inputs and removal of obstacles from the soul, the human's soul is prepared for connection with the spiritual intellectual substances, wherein the roles of all beings are there and is called the Preserved Tablet in the

religious law, or the soul substances, wherein the forms of details are there. The human's soul receives, by connecting to the intellectual or soul substances, the truths wherein the substances are there. If the necessary tools were available and there were no veil, impression of the sublime substances in the soul on the forms is like impression of the form from one mirror in another mirror.¹

Removal of the veil between the mirror of the soul and the mirror of the sublime substance requires some causes² including the purity of natural soul, taking the soul away from the world, scientific austerity, volitional death or the natural death or sleep. Sleep is in short the giving up of using senses and in this regard is the brother of death. If the forms received in sleep are minor and are retained and the imaginative faculty does not interfere in it, the dream is true and does not need interpretation. If the imaginative faculty interferes, then the imaginative faculty turns it into analogy and akin, like turning 'knowledge' into 'milk'. This is because, on the basis of coincidence of the worlds, any rational meaning has a form in the universe. Since the 'knowledge' strengthens the soul, it is like milk for the intellect. Thus, 'milk' which is a delicious and delicate food is the idea and analogy for the 'knowledge'. Mullā Ṣadrā has narrated some of the dreams and the related interpretations, and uses this point to show that interpretation of dreams is something that indicates the use of ideas. The important point is that the divine prophets would speak to people according to this usage of analogies, and it was the prophets' obligation to speak with people in a way that they would understand them. Since the people's intellects are the analogy of the exalted intellects, talking to them must be on the basis of the analogies of the true teachings. The level of the people's intellect is known from the fact that they are asleep, and one who is asleep would not comprehend anything except by analogies. When they die, they would awake and realize that the

1. We will give some explanation on 'impression' later on.

2. See the initial form of exposition in Fārābī, *Mabādī Ārā Ahl al-Madīna al-Fāṣila*, p.108.

analogy was true.¹

Analogy means presenting meaning in a form that is true if one considers the meaning, and is false if one considers the form (Ṣadrud-dīn Shīrāzī, 1381 SH, vol.2, pp. 781-784, 807-812).

How does the human's soul receive the rational meanings and turn them into forms? The answer is that the human's soul has two aspects: one pertains to the invisible world and the hereafter, and the other pertains to the visible world which is this world. If the former, which Mullā Ṣadrā calls *jahat-e quds* (i.e. the sacred aspect) dominates the human's soul, the truth of things necessarily appears to it and its light illuminates the other aspect which is worldly aspect. The aspect that pertains to the invisible world is the entry of revelation and inspiration, and the aspect that pertains to the visible world creates the images and analogies of the truths.

Imagination is of two types. Sometimes, it is the result of senses, and sometimes, it is resulted from looking at the inner side of the invisible world. In the former, which is the result of sensory look at the visible world, it is possible that the form coincide with the meaning, just like the face of a beautiful person with a bad character whose form is different from his inward. But the form that is resulted from the illumination of the celestial world to the inward of the soul suggests the true attributes and coincides with the true meaning and form of the rational affair. This is because the form of the celestial world subordinates the true meaning and attribute. Thus, the vicious meaning such as Satan is seen in a bad form such as dog and pig, and the beautiful meaning such as angel is seen in a pretty form. This true form rightly represents the meaning (Ṣadrud-dīn Shīrāzī, 1381 SH, vol. 2, pp. 785-786, 813-814).

The Three Features of the Prophet

Based on the threefold worlds of ratiocination, imagination and feeling, the

1. This refers to the following hadith: "The people are asleep. When they die, they would awake."

miracles and miraculous deeds are possible on three bases: (a) *the strong and perfect ratiocination* drives the man towards association with saints and God's friends and attaching to them; (b) *the strong imagination or imaginative faculty* leads to observing ideal ghosts and invisible persons as well as realizing detailed news and being informed of past and future events; and (c) *the strong sensory faculty*, which is close to stimulation faculty, leads to passivity of matters and humility of physical faculties and natures. The human's perfection degree is that the three faculties be strongly present in him so that he would deserve to be God's vicegerent (Şadrudđin Şirāzī, 1381 SH, vol. 2, p. 801).

Philosophy of Legislation

Having analyzed the revelation and prophethood, Mullā Şadrā goes to philosophy and legislation and considers the human's social life as an introduction to his discussion. Human being is naturally a civilized creature and his system of life depends on civilization, community and cooperation. Thus, the human beings need, in their transactions and interactions, a law as their point of reference. That law is the religious law or *Shar'*.

Therefore, there must be necessarily a legislator that determines their worldly affairs and subsistence and sets a way for achieving the high level of proximity to the Exalted God, reminding them of the hereafter. That legislator must inescapably be a human being (Şadrudđin Şirāzī, 1381 SH, vol. 2, p. 815-817).¹

The angel of revelation (i.e. Gabriel) is the medium between God and the Prophet, and the Prophet is the medium between the revelation angel and the Infallible Imams, and the Infallible Imams are the mediums between the Prophet and the religious scholars, and the religious scholars are the mediums between the Infallible Imams and the people (Şadrudđin Şirāzī, 1381

1. Cf. Avicenna, 1376 SH, *al-Ilāhiyāt min Kitāb Şifā*, Hassan-zada Āmulī, Qom, Office for Islamic Propagation of Seminary Center, pp. 491-507

SH, vol. 2, pp. 817-818). Mullā Şadrā presents in detail an analysis of policies and presidency of the Medina on the basis of Fārābī's analysis in his *Mabādī Ārā Ahl al-Madīna al-Fāḍila* along with some modification and expositions (Şadrudḍīn Şhīrāzī, 1381 SH, vol. 2, pp. 819-828).¹

Mullā Şadrā introduces the purpose of religions to be driving people to proximity of God. This purpose becomes possible by knowing the Exalted God and the divine attributes as well as belief in the angels and the prophets and the hereafter. The purpose of religions in this world is realized and becomes possible with lives and properties. Thus, Mullā Şadrā regards the philosophy of religious laws to be knowing the Exalted God and protecting the lives and properties. For him, the purpose of religious laws is refining human beings and making them achieve intellectual perfection, etc. (Şadrudḍīn Şhīrāzī, 1381 SH, vol.2, pp. 829-831).

Explanation of revelation in *al-Ḥikmat al-Muta'aliya*

In his *al-Ḥikmat al-Muta'aliya*, Mullā Şadrā makes use of analyses presented by Avicenna and Ibn 'Arabī. Mullā Şadrā's analysis in that book is harmonious with and overlapping his analysis in *Mafātūḥ al-Ghayb*. Mullā Şadrā's view, especially his analysis on the Holy Quran's orders and states can be the starting point for a theory of interpretation. It seems that just as we see in the introduction to *Tafsīr al-Mīzān*, 'Allāma Ṭabāṭabāī seeks to prove some of those orders and states suggested by Mullā Şadrā. Mullā Şadrā himself has followed his own exegetical view in his *Tafsīr al-Qurān al-Karīm*.

Mullā Şadrā regards revelation as the dialogue² between the perfect man and the Exalted God, considering it as the most sublime dialogue. In Mullā Şadrā's analysis, the perfect man receives, by hearing with the spiritual heart, the emanation of the true knowledge and divine teachings from the

1. Cf. Fārābī, *Mabādī Ārā Ahl al-Madīna al-Fāḍila*. Pp. 120-130

2. *Mukālima wa Istimā'*

Exalted God, and by realization with the simple intellect,¹ speaks with the true words. The status of the simple intellect is to emanate the detailed knowledge to the soul. Having become the simple intellect, the perfect man speaks of the true knowledge and true teachings, and depicts the abstract objective truths, with his words, in the form of detailed knowledge of the soul, delineating them on the tablet of the soul and the imagination (Şadrudđin Şhīrāzī, 1380 SH, pp. 7-8).

Mullā Şadrā uses the following terminologies for describing the divine revelation of the Holy Quran: *Kalāmullāh* (i.e. God's words) and *Kitābullāh* (i.e. God's book). These two differ. Their difference is that *Kalāmullāh* is simple and from the world of divine command and promptly-coming to existence. But *Kitābullāh* is synthesized, from the world of creation, and gradually-coming to existence. *Kalām* and *Kitāb* are the same from one aspect, and their difference is conventional. That is, when the speaker starts speaking and speaks in terms of the inner wish, his words and phrases have an existential relationship with the agent and a potential relationship with the recipient. His words are *kalām* in view of their existential relation with the agent, and are *kitāb* in view of their potential relation with the recipient. Accordingly, the literal forms are *kalām* in view of their existential relation with the agent, and are *kitāb* in view of their potential relation with the recipient. The soul wherein these rational forms and sensual knowledge are depicted is, from one aspect, the 'book tablet' and, from another aspect, the thinking speaking substance (Şadrudđin Şhīrāzī, 1380 SH, pp.11-16).

In Mullā Şadrā's analysis, the world of [divine] command is the verbal world of divine words and synoptic system, and the creation world is the world of action and is the detailed book corresponding to that synoptic system. *Kalām* turns into *Kitāb* by personification and coming down from the world of commands (Şadrudđin Şhīrāzī, 1380 SH, pp.17-18). To explain the beginning and the end of *kalām* and *kitāb*, Mullā Şadrā sets a human process

1. See the simple intellect (*ġl-e Basīf* in Avicenna, *al-Ta'īqāt*).

for that as an example and investigates it. In a human process, when someone wants to speak or write a book, (a) the beginning of speech or writing is the simple and synoptic rational form created in his reasoning soul; (b) the effect of that simple and synoptic rational form is created, in the state of rational exposition, in his reasoning soul (*al-qalb al-ma'navī* i.e. the spiritual heart); (c) an effect of that rational exposition emerges in the imaginative soul (*al-ṣadr al-ma'navī* i.e. the spiritual chest); (d) the effect of what has emerged in the imaginative soul appears in the form of an external sensible thing, that is the sound, the letter and the page of paper (Ṣadrud-dīn Shīrāzī, 1380 SH, vol. 2, p.29).

Mullā Ṣadrā analyzes the mode of coming down of the *kalām* and *kitāb* as follows: with the separation of the human soul from the body and his migration towards God and his purity from filth of sins, pleasures, passions and belongings, the light of knowledge and faith in the Exalted God appears for the human's soul. After the strength and substantiation, this light becomes a sacred substance called the active intellect by the philosophers and *Rūḥ Qudsī* by the religion. With this strong rational light, the mysteries of the earth and the heaven and the truths of things are manifested for the human's soul.

If the human's soul who is migrating towards God is a sacred and strong soul, by placing itself in the common limits between the earth and the heaven, one state does not hinder him from another state, and the higher position does not hinder him from the lower position; thus, it takes both sides and its strength covers both sides. This sacred soul receives the divine teachings from the Glorified God; the effect of this reception reaches its faculties and what is observed by the sacred soul is represented for the human soul, emerging from the human soul to the external senses, especially the hearing and seeing. Therefore, the man sees, with his eyes, the divine angel in the form of a sensible person with ultimate beauty, and hears, with his ears the divine words as rhythmic ultimately beautiful eloquent words. This represented thing enjoys external realization and is not the abstract

imaginative form with no existence outside the mind and imagination (Ṣadrud-dīn Shīrāzī, 1380 SH, pp.31-33). In his Ascend, the Prophet meets the first line of the angels and observes the sacred soul in wakefulness. When the prophet's soul joins the world of the angels, which is the world of divine revelation, he hears God's words which are the proclamation of truths in real words. This emanation and being emanated occurs in the position of '*qāb qowsayn ow adnā*' (i.e. two bow's length or even nearer), which is the position of proximity and true words. When the prophet associates with the highest ranks of the angels, he hears the sounds of their pens and inspiration of their words, as is quoted from the Prophet. The words of the highest ranks of the angels, who are in the position of proximity to God, are God's words. This is because God's words come down in the places of knowledge of the highest ranks of the angels; that is their essences and intellects.

When the Prophet descends from the position of *qāb qowsayn ow adnā*, the form of what he has reasoned and observed is represented in tablet of his soul, which is there in the world of celestial destiny tablets. The effect of this representation reaches the appearance as well, and this causes some feeling like horror and doziness, because as said before, the sacred soul employs the sensory faculties in the path of the Glorified God. Therefore, when the Glorified God addresses him and informs him of the visible world, in the jewel of prophetic soul [or the jewel of the sacred soul (Ṣadrud-dīn Shīrāzī, 1386 SH, vol.1, p.59)] or the 'jewel of the rational soul' [(Ṣadrud-dīn Shīrāzī, 1366 SH, vol.7, p.116)] the impression of celestial realm and the form of sovereignty emerges, and the analogy of revelation and its carrier is manifested for him; the faculty of external sense is attracted towards the celestial world and the form inseparable from the true meaning and soul is represented for him, and is also represented for the formed soul, which is not separated from its true meaning and soul. Thus, the truth of angel is represented in a sensible and proper form for the Prophet, and he sees an angel of the divine angels in a form other than its own form in the world of [divine] commands, hearing the rational revelation in the form of listenable words, or seeing a written tablet

in the angel's hand. Thus, the Prophet is firstly attached to the angel with his intellectual soul and receives divine knowledge, observes the greatest divine signs with his intellectual eye, and hears the words of the Lord of the worlds from the Great Spirit. Thus, when the Prophet descends from that high divine position, the angel is represented for him in the sensible form and streams into his external sense and the outside air. Similarly, *kalām* also descend from the invisible world to the visible and from the inward to the outward. Thus, each of the angel and *kalām* and *kitāb* is taken from the invisible and inward of the mystery to the intellectual faculties. This is not in the form of the motion of the angel of revelation from its homeland and position. Rather, its point of reference is the transfer of the prophet's soul from the invisible mode to the visible. The meaning of coming down of the Book and sending down the Words from the Lord of the worlds is in the way stated (Ṣadrud-dīn Shīrāzī, 1380 SH, pp.31-35). Therefore, the Quran is in one status the verses of intellectual words, in other status the tablet book, and still in another status the created being and the listenable words or the written visual impressions in pages. That is, the truth is one, and its manifestations are numerous (Ṣadrud-dīn Shīrāzī, 1380 SH, pp.38-39).

The Quran is, like the man, divided into covert and overt aspects, and each of them is divided, in turn, into inward and outward. The outward of the overt Quran is the collection of the pages and the written texts on them. The inward of the overt Quran is what one's inner feeling gets along with quantitative accidents. These two ranks of the Quran are worldly, and any man perceives those ranks.

The outward and inward of the Quran's covert side are two otherworldly ranks and each has orders, ranks, degrees and states. The outward of the Quran's covert side is what one realizes by imagining the limits and truths of meanings without external appendices and effects. This common meaning is realized by human's soul when he detaches from the creation state and reaches the command state.

The orders of perception in human's soul are as follows: (a) the man

sometimes perceives things in the order of body and senses; (b) he sometimes receives the rational knowledge from the world of imagination and individual representation; (c) he sometimes receives the rational knowledge with its rational substance, which is from the world of [divine] commands; and (d) he receives the divine knowledge from the Glorified God without any veil for intellect, which is pertaining to the world of command and policy, or sense, which is pertaining to the world of creation and predestination, because what is above creation and [divine] command is hidden from the sense and intellect. Thus, the light of truth is not perceived except with the light of truth, and one cannot achieve it by strength of command and creation.

The words of the Exalted God, because of being word, before descending to the world of commands – which is the Preserved Tablet – and before descending to the sky of this world – which is the tablet for effacement and establishment – and descending to the world of creation and predestination, enjoyed the divine high status which is not known except by God, and no prophet would find it out except in the position of Oneness. The great verse 7 of the chapter *Āl-i Imrān* of the Holy Quran refers to the same fact: "No one knows its explanation except Allah and those who are of sound instruction..."

In sum, the Quran has, like the man, degrees and states. The lowest rank of the Quran is the book inside the cover. The superficial man realizes just the surface of the Quran. He realizes only the superficial concepts, the stated points, the practical precepts and the legal policies. The spirit and the deep mystery of the Quran is realized by the *Ulu-l Albāb* (i.e. the owners of the reason). This is because one cannot achieve the truth of the wisdom except by the compassionate emanation [of God] (Ṣadrud-dīn Shīrāzī, 1380 SH, pp.51-55).

Conclusion

As seen before, Mullā Ṣadrā's analysis and explanation of revelation is placed inside the framework of the Islamic tradition of political philosophy. In the Islamic tradition of political philosophy, the analysis of revelation answers two main questions of political philosophy, i.e. government and

law. Mullā Ṣadrā's analysis deals with these two subjects and answers the related questions. The Prophet enjoys the characteristics necessary for a ruler. In the next orders, the infallible imams enjoy the same characteristics. Similarly, the human's social life and his social evolution require *sharī'a* (i.e. religious law). The philosophy of the religious decrees returns to acquiring the divine knowledge and protecting the lives and properties. The religious decrees have been organized on the bases of the correspondence between the worlds as well as the effect of actions on souls and the effect of souls' states on body. This, in turn, leads to the mutual effect of the worlds on the basis of the relationship between sensory world and ideal and intellectual worlds, as explained by Mullā Ṣadrā in detail. The philosophy of jurisprudence or the legal philosophy explained by Mullā Ṣadrā can result in serious consequences in the sphere of jurisprudence and law, which needs another opportunity to explain in detail. Mullā Ṣadrā's views and those of other Muslim philosophers arises questions regarding the relationship between religion and philosophy, the Prophet and the philosophers, and coincidence or non-coincidence of divine revelation in all worlds. In discussion on results, it is needed to answer some questions.

The relationship between religion and philosophy

(a) Sometimes, by religion we mean the religion revealed by God; and (b) sometimes, by religion we mean what exists or existed by this name among people. Here, we mean the first meaning of the religion; that is the religion revealed by God.

Similarly, (a) sometimes, by philosophy we mean the science that identifies the truths of things; and sometimes, by philosophy we mean the science known by this name among the human beings. Philosophy in the latter meaning may be right or wrong, while in the former sense is necessarily right with no error in it, although it is not clear how much it is accessible in the real world of human beings.

In this case, the religion in the former sense contains the philosophy in the former sense. That is, the religion has a rational core and legislates on the

basis of the truth of things. Now, are the religious people aware of that rational core? Or do those who come after the divine prophets and their legitimate successors, who are the religious scholars, infer and reason on the basis of awareness of the truth of things? These questions are now out of the sphere of our discussion. Regarding the same issue, Fārābī formulates and organizes some questions that, in his view, serve more really for inferring and reasoning inside a religion. In this regard, Mullā Ṣadrā classifies the scholars into numerous groups and explains which group is closer to the truth of religion and reception of religious laws and the right reasoning (Ṣadrud-dīn Shīrāzī, 1386 SH, pp.774-775; see Yazdānī Muqaddam, 1395 SH, pp.376-379, 388-389).

The relationship between the prophethood and being a philosopher

Considering the two abovementioned meanings for religion and philosophy, one can mention the 'divine prophets' and 'those who are famous as the prophet'. Similarly, we may refer to the 'real philosophers' and 'non-real philosophers'. Fārābī also enumerates groups of philosophers (Fārābī, 1983, pp.94-96). Among them, it is the true philosopher that can be compared to the divine prophets. In this regard, Fārābī enumerates, in his *Fuṣūl Muntazī'ā*, differences between the philosopher and, at least, a group of prophets; and in *al-Milla*, *al-Siyāsāt al-Madaniyya*, and *Mabādī Ārā' Ahl al-Madīna al-Fāḍila*, goes more or less towards unity between the prophet and the philosopher. Mullā Ṣadrā has adopted this late view of Fārābī (Ṣadrud-dīn Shīrāzī, 1381SH, vol.2, p.814).

Coincidence of divine revelation in all worlds

Another important issue in explanation of revelation by Muslim philosophers is the coincidence of revelation. Mullā Ṣadrā asserts, many times, the coincidence of divine revelation in worlds on the basis of coincidence of worlds. Such coincidence is found in the comments of other Muslim philosophers as well, because they also believe in a certain order and

arrangements among the worlds of existence and, on the basis of such a view, there is no justification for evading and non-coincidence. Thus, for the Muslim philosophers, the Prophet receives the very truth in the position of God's oneness, "*qāb qowsayn ow adnā*" and the Preserved Tablet in the form proper for the human world and humans' relations, and transfers it in a way that is comprehensible for the human beings as the addressees of divine revelation. The addressees of revelation can, through scrutiny and contemplation, reach the truth of revelation in higher worlds through this reduced revelation. Thus, these revealed words are a way for the human's ascendance.¹ Therefore, from the theorizing and explanation offered by the Muslim philosophers about revelation, one can infer and extract the theoretical foundations and necessary elements for some sort of hermeneutics that must be studied in its proper place.

The difference between Mullā Ṣadrā's view and those of other Muslim philosophers in analyzing revelation

In his *al-Mabda' wal-Ma'ād*, Mullā Ṣadrā has made Fārābī's *Mabādī Āra' Ahl al-Madīna al-Fāḍila* as his model and, more or less, offers his analysis and his view on the basis of the subject matters presented by Fārābī in that book. Thus, Mullā Ṣadrā theorizes in the framework of Fārābī's political philosophy.

Mullā Ṣadrā processes the issues discussed in *al-Mabda' wal-Ma'ād* in a certain way in *al-Shawāhid ar-Rubūbiyya*, and still considers Fārābī's model. As a genuine thinker, Mullā Ṣadrā considers new meanings of past concepts in both *al-Mabda' wal-Ma'ād* and *al-Shawāhid ar-Rubūbiyya*, and offers new analyses and views. Here, it should be noted that Mullā Ṣadrā repeatedly mentions in his works that Fārābī's analysis and that of other philosophers, whom he calls peripatetic, is different from his analyses in – at least – two aspects. One is considering the world of ideas in orders of worlds

1. *Iqra' wal-qa'* (i.e. 'read and ascend' something said to the reciters of the Quran in Judgment Day according to a hadith.)

– which is the view specific to Sheikh Ishrāq and his followers – and the other is the soul's knowledge of truths of existence in various worlds – whether it is in the form of impression of forms in the soul and the soul's faculties or in the form of creation of proper forms by the soul. Mullā Ṣadrā attributes 'impression' to peripatetic philosophers and offers and pursues his own view regarding knowledge.

The difference between Mullā Ṣadrā's view and other Muslim philosophers on the philosophy of legislation

In analyses and views proposed by Fārābī and Avicenna, the relationship of the intellectual core of religion and religious laws with the *Sharīʿa's* laws and regulations is quite clear and its effect on philosophy of legislating religious laws for Fārābī and Avicenna and their works can be observed. They investigate and analyze religion and religious laws in the framework of political philosophy, as it is the Shiite basis and leaning to consider, on the basis of the teachings of the Infallible Imams, religion and religious laws to be rational and argumentative and necessary for fulfilling the human's good. The holy Quran often invites its addressees to think and scrutinize on the divine verses, asking them to judge about the Quranic verses and the Prophet's claims to see whether they are from God or not (the Quran, Nisā, 82). It even offers an empirical way in the form of a challenge (*taḥaddī*) (the Quran, Baqara, 23) for its addressees. In regard with this philosophy of legislation, it should be noted that in Mullā Ṣadrā's analysis and view, we face more with the philosophy of *Sharīʿa* than with the philosophy of legislation. However, Mullā Ṣadrā presents a model for legislation and returns religious laws to knowing the Glorified God as well as protecting lives and properties.

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Research Article

The Comparative Study of the Political Interpretation of the Quran in Yūsuf Qarḍāwī and ‘Allāmah Ṭabāṭabā’ī’s Thought¹

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Abstract

The present study aims at a comparative investigation of the political interpretation of the Quran in Yūsuf Qarḍāwī’s thought and that of ‘Allāmah Ṭabāṭabā’ī. Accordingly, we have dealt with an investigation of the Quran’s influential intellectual features and political interpretation in the opinions of those two thinkers. The research method is based on the author-centered intentionalist reading model. In this model, the dominant political discourse of the time, the thinker’s intention in writing, a thinker’s mental world and his intellectual features influence the way of his political interpretation of the Quran. The results showed that in Qarḍāwī’s view, Islam is both a religion and a political system. The Islamic state is a civil state and governs according to the Islamic laws and decrees. In ‘Allāmah Ṭabāṭabā’ī’s thought, religion has a social tint, and the politics and government have a secondary status and are

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among necessities of the society. 'Allāmah's approach originates from the Shiite thought and Qarḍāwī's approach originates from the Sunnite one. The philosophical discussions in 'Allāmah's social and political thought are highlighted, and the jurisprudential, the number of legal and independent discussions pertaining to political system and government is much more in Qarḍāwī's thought compared to 'Allāmah Ṭabāṭabā'ī. In both thinkers' thought, government is necessary for society and orientation of the political system is a divine orientation in the Quran's view. The Islamic state and the related discussions are found in the Quran, and 'the Quran' is the criterion for action in the Islamic society and government. The efforts of the two thinkers focus on offering a pure, genuine, constructive, motivating and system-making image of the Quran.

Keywords

political interpretation, the Quran, Yūsuf Qarḍāwī, Muhammad Hussein Ṭabāṭabā'ī.

Introduction

Dealing with the new political-social discussions by relying on some interpretations of the Quran is known as one of the important characteristics of Islam's political thought in the contemporary era. In responding to the society's needs and the political-social issues emerged in relationship with the west, the Muslim thinkers who study the Quran have offered their Quranic solutions for getting out of the political-social issues by returning to the Quran and presenting related analyses. The reason was that the Muslim thinkers had a concern for the doubts cast and the widespread and continuous discussions originated from the modern civilization, which influenced the Islamic culture and the related political and social discussions. Meanwhile, a return to the Quran and Quranic analyses, attitudes and mechanisms for getting out of political-social issues were proposed. The political attitude to the Quranic verses with an approach to solving the contemporary issues was an emergent matter not previously manifested with that much severity and breadth. Public issues such as 'freedom', 'social justice', 'struggling with despotism', 'struggling with poverty and social penury in both material and

spiritual dimensions', 'struggling with superstition', 'revolution', 'Islamic unity', and concept like these were explored in the political-social thought of the Muslim thinkers using religious sources such as the Quran. As to referring to the Quran, the Quran's political verses and the political interpretations of them were paid attention to by some Muslim thinkers. Amid the views that minimize or ignore the political aspect of Islam, some thinkers made efforts to highlight the political aspects of Islam in relation to Islam's essence. The contemporary evolutions accelerated the return to the Quran and its political-social interpretation. Among the important matters of rethinking and emergence of political-social approach to Islam, we may refer to the views of two prominent thinkers in the Islamic world – Yūsuf Qarḏāwī and Muhammad Hussein Ṭabāṭabā'ī. 'Allāma Ṭabāṭabā'ī's approach is influenced by the Shiite doctrines and Qarḏāwī's approach is affected by the Sunnite doctrines. This study comparatively investigates the views of these two thinkers regarding the political interpretation of the Quran. The main question of the study is as follows: "According to what criteria can we comparatively study the Quran's political interpretation from the viewpoints of Yūsuf Qarḏāwī and Sayyid Muhammad Hussein Ṭabāṭabā'ī?" The research hypothesis has been organized by considering the main question and the author-centered intentionalist model in a way that the dominant political discourse of the time, the author's purpose of intellectual interaction, his mental world, and his intellectual characteristics have influenced the way he conducts a political interpretation of the Quran. Qarḏāwī's approach in interpretation of verses is such that he considers the Islamic state as a civil state that has religion and political system together, a political system wherein the Islamic state is determined through allegiance and council, and the laws and ordinances of the Islamic state are specified using religion and the Quran. In Ṭabāṭabā'ī's thought, the social nature of religion is more important than anything else, and the policy and government become meaningful in accordance with the social status of religion, and are among the essentials of community. Besides, Islam – and in general, religion

– has recognized many conventions, contracts, states and common policies, but it has specified certain orientations for them. Both thinkers have viewed the Quran as the definite and interpretable document from which one can extract the plans for living and the political-social life (the common point). However, from the viewpoint of doctrinal, cultural and social origin as well as some of the intellectual features and methods, there are differences between the two thinkers (the differentiating point). The scope of the study is in the sphere of a comparative investigation of the political interpretation of the Quran with an emphasis on the ideas presented by Yūsuf Qarḍāwī and ‘Allāmah Ṭabāṭabā’ī. Each of these personages has his specific characteristics and features in political explanation and view of the Quran. In this study, we attempt to investigate the political approach to the Quran from the viewpoints of these two thinkers of the Islamic world.

1. Concepts and analysis model

1-1. The political interpretation of the Quran

The two concepts of 'interpretation' and 'politics' are important in definition of 'political interpretation'. In a general sense, 'interpretation' means comprehending the meaning through effort to describe, explain, and analyze a text in order to find out its purpose.¹ Various definitions have been offered for the term 'interpretation'. For example, the followings have been mentioned as the meanings of interpretation: removing ambiguity from the words (Ma‘rifat, 1379 SH, vol.1, p.17), stating the applicable contents of the verses and discovering God's purpose (Rajabī, 1383 SH, p.12), discovering the verses' purpose and denotation (‘Allāmah Ṭabāṭabā’ī, vol.1, 1371 SH, p.2), analyzing the origins and arriving at the speaker's purpose and the simple and synthesized denotations of the text (Jawādī Āmulī, 1384 SH, vol.1, p.52). The Quran's exegesis is

1. Quentin Skinner, "Motives, intentions and the interpretation of text", *Meaning and Context*, New Literary History, vol. 3, no. 2, On Interpretation: I (Winter, 1972), pp. 393-408 (16 pages), pp. 393-394.

a systematic scientific attempt to know the meanings of the Quran and obtain God's purpose. Interpretation of any text is possible on the basis of three main elements and in the light of a right strategy and a logical framework: 'the speaker' (his/ her purpose), 'the text', and 'the addressee' (As'adī et al., 1392 SH, vol.2, p.10). Similarly, various definitions have been offered regarding the politics. Among them are the followings: "shapes, orientations and the way the power is exerted" (Abul-Ḥamd, n.d., vol.1, p.29); the state's knowledge, theories, organizations, and actions (ibid, p.23), the way one obtains power and shares in it (Dāl, 1364 SH, p.7-8), authoritative distribution of values in the society (Ālim, 1373 SH, p.29), etc. It seems that the definition of the concept of politics is quite dependent on worldview, ideology, or the public, moral and doctrinal attitude of individuals (Aḍḍānlū, 1389 SH, p.222-23). Considering the definition of 'interpretation' and 'politics', the political interpretation of the Quran is "finding out the Quranic purposes and referring to the Quranic verses for explaining the basic concepts, the structure and the functions of the political system as well as resolving the political-social issues as separated from other aspects such as the educational, economic, legal, and mystical aspects" (Ḥasanī, 1392 SH, p.39). The goal of the political interpretation of the Quran is discovering the Quran's genuine policy from the verses and authentic traditions, which has been explicitly stated in the Quran and traditions for achieving purified life, encompassing all aspects of human's life including the individual, social, economic and cultural aspects. The implications of the political interpretation of the Quran for the Quran's commentator with any approach are as follows:

- 1) Enjoying the exegetical method (Mu'addab, 1385 SH, p.167; Pārsāniyā, 1383 SH; Shākīr, 1382 SH, p.45-46)
- 2) Enjoying the exegetical attitude (the social desires and intellectual condition of the society and the surrounding environment, the role of expertized knowledge) which influences the political interpretation of

the Quran (Shākir, 1382 SH, p.48-49)

3) The effect of the element of time and the discourses of the time as well as the role of political-social evolutions in the way one understands and interprets the Quran (ibid, p.68)

4) Interpretation requires enough recognition of some branches of science (Shākir, 1382 SH, p.215-217)

By the political interpretation of the Quran, we mean independent discovery and inference from the Quran's verses and concepts to which other sciences contribute, with nothing imposed on the Quran.

1-2. The model for analysis of the political interpretation in the thoughts of the two thinkers (Qarḍāwī and Ṭabāṭabā'ī)

The methodic model of this study is based on the authorial intentionalism. It means that the author or the speaker communicates something by writing or speaking, and what is important from the viewpoint of interpretation and comprehension is discovering the author's or the speaker's intention (Skinner, 1972, pp.406-407). To understand the political perception or interpretation, one must recognize the dominant political discourse in the society and of the time as well as the thinker's purpose in establishing the relationship in the dominant discourse of the time. Thus, perceiving a thought requires three determining factors:

Recognizing the difficulties and issues of the time when an idea has been presented and the thinker's works have been an answer to them.

Recognizing the language, concepts, terminology, and the common propositions in the time when a thinker has written something and involved in those terminologies. These concepts and terminologies could have been imposed, outside of the common convention in a society, on another society.

1) Recognizing the convention, tradition, principles, and common rule dominant in a society or – in other words – to know how a thinker has sought to establish a relationship between the convention and tradition

on the one hand and the rules as well as the issues and difficulties of his society on the other hand returns to the response to the thinker's recognition and how he has perceived the matters (Skinner, 1974, p.303).

By putting an author in the relational milieu and the discourse of his time, one can find out what the author's purpose of writing a text was. Has he criticized a certain political position or moral attitude or he wanted to defend it and help in developing it? Finally, according to this method, there are two general rules for discovering the author's purpose: (a) comprehending and interpreting a text is not attained merely by focusing on the political-social background; rather, it requires focusing on the conventions and rules dominant in the society and politics, and is shaped by the way issues related to the texts are perceived. That is, the author's intention in writing has been the conventional intention. (b) to discover the author's intention, one must reveal his mental and doctrinal world wherein his beliefs are formed in a certain lived experience (Skinner, 1979, p.16).

2. The role of social-political conditions in generating political attitude towards the Quran (discourse of the time)

2-1. The role and effect of the social-political conditions in generating Qarḍāwī's political thought and interpretation of the Quran.

The generation and formation of Qarḍāwī's political interpretation and his Quranic attitudes occurred in the special conditions of Egypt under the influence of the invitation by Egyptian *Akhawān al-Muslimīn* (figures such as Hassan al-Banā and Sayyid Quṭb) shaped in the atmosphere of the foreign dominance, domestic despotism, poverty and national alienation as well as nationalist slogans affected by modernism and Marxist mottos which started by an approach to the Quran. In general, the thinkers of that period, especially Qarḍāwī, had no way – under the influence of *Akhawān al-Muslimīn* – except a return to Islam, the Quran and the Islamic state and reviving it in people's conscience (Mitchel, 1389 SH, vol.2, p.39). They turned to the Quran for getting out of the aforementioned crises.

2-2. The role and effect of the social-political conditions in generating ‘Allāmah Ṭabāṭabā’ī’s thought and interpretation of the Quran.

‘Allāmah Ṭabāṭabā’ī’s social-political attitude in the contemporary Iran was formed under the influence of the discourse of the time and in conditions similar to other regions of Islamic world, especially Egypt. The political despotic structure of the government in Pahlavi period (Muḏaffarī, 1387 SH, p.223), aggravation of fanatic and organized modernism as well as separation of religion from politics (Bigdīlū, 1396 SH, p.83), propagation of ancient-centered nationalism to de-religionization (Bigdīlū, 1396 SH, p.87-88), promotion of the atheist foundations and materialist thoughts opposing religious doctrines (ibid., p.94-95), the defective cultural structure and ignoring religious values as well as promotion of corruption (Gasiorowski, 1373 SH, p.404; Fowzī, 1384 SH, vol.1, p.45) all caused each of the scholars and thinkers to make efforts to find Quranic solutions for dead ends and difficulties.

Three basic subjects were influencing the process of political attitude towards the Quran and political interpretation of it: (1) the objective issues of the society; (2) the situation of the existing states in the Islamic world; and (3) the global situation of the discourses of time considering the aforementioned elements caused the Muslims thinkers – with new approaches obtained from the Quran’s text – to offer solutions and culminated in the political attitude towards the Quran and its interpretation. The political interpretation of the Quran in Qarḏāwī and Ṭabāṭabā’ī’s view contains two basic points:

An attempt to inform the society, because in addition to ample issues and problems in the political and social structure arisen from the economic and spiritual poverty, the inefficiency, lack of political thought as the model in the contemporary world, and the strong presence of rival opinions as alternatives to socialism and liberalism formed the most important intellectual concerns of Muslim thinkers – especially Qarḏāwī and Ṭabāṭabā’ī.

An attempt to show the practical structured (political-social) model of religion by getting help from religious texts, especially the Quran, and overcoming the claim that non-dynamism of religious concepts were among other items considered by those two thinkers.

3. The intellectual characteristics and the mental world effective in the political interpretation of the Quran in Qarḍāwī and Ṭabāṭabā'ī's thought

3-1. The intellectual characteristics and the metal world effective in Yūsuf Qarḍāwī's political interpretation.

Yūsuf Qarḍāwī (1345 AH/ 1926 AD) was born in Şifat Turāb village in the center of al-Kubrā district in the western province of Egypt. He finished the high school with a top rank. In 1953, he was graduated from the faculty of Principle of Religion in Cairo University with a B.A degree, and in 1960 received an M.A in the branch of sciences of the Quran and Sunnah in the faculty of Principles of Religion. In 1973, he received a PhD from al-Zahra University. After a while, he felt that Egypt is not a suitable place for scientific activities and went to Qatar with an invitation from Sheikh Abdullah bin Turkī, the director of the section of religious sciences in Ministry of Endowments in Qatar, to take over the responsibility of faculty of *Sharī'a* and Islamic sciences in Qatar University.¹ For Qarḍāwī, religious thought and reviving it was a necessity for the Islamic world both now and in the future (Baḥrānī, 1390 SH, vol.16, p.219). Qarḍāwī called his scientific method '*al-Wasaṭiyya al-Islāmiyya*' which he classifies between the secular method void of Islam (denying religion or denying the political view of religion) and those with religious dogmatism, neglecting the political-social conditions of the present age (Qarḍāwī, 2001, p.9). In explaining *al-Wasaṭiyya al-Islāmiyya* (i.e. 'Islamic moderation'), he says: "(a) Islam is obtained from the pure sources; (b) Islam is the perfect method for human life (individual, family and society), and (c) in this method, the reality and objectivity of Islam as it is and the objectivity of the present era are considered, and the old useful traditions (*salaf*) and new expediencies are reconciled, which Qarḍāwī calls '*al-Salafiyya al-Mujaddida*'; (d) in this method, an equilibrium

1. For further studies, see www.al-qaradawi.net and Murtiḍā Baḥrānī, "Qarḍāwī" in *Andīshayi Siyāsī Mutafakkirān-i Musalmān*, vol.16. Tehran: Research Center of Cultural and Social Studies, 1390 SH, p.219.

is created between the fixed religious items (immutable religious laws and decrees) and religious variables (alterable laws and regulations); (e) in this method, having respect for reason, intellectual renewal and legal reasoning (*ijtihād*) are promoted; and (f) moderation in method means inference from positive points in systems of the new age and removing its deficiencies (*shawā'ib*) according to Islam's strong laws" (ibid).

Among the intellectual personages influencing Yūsuf Qarḍāwī's thought are Sayyid al-Banā and Sayyid Quṭb. Qarḍāwī's being influenced is obvious in his book entitled *al-Khaṣā'is al-Āmma lil-Islām*. In that book, Qarḍāwī deals with a broader exposition and completion of the issues offered in Sayyid Quṭb's *Khaṣā'is al-Taṣawwur al-Islāmī wa Muqawwimātihī*, and even borrows some of the main headings in that book including the following ones: being divine, being humane, comprehensiveness (being everlasting, universal and holistic), moderation or equilibrium, realism, creating harmony between tradition and modernism, and clarity and obviousness (Qarḍāwī, 1983, p.7-8). Like Sayyid Quṭb, he asserts that the aforementioned seven items must all – or most of them – be features of Islam, because some items may be added to them (Qarḍāwī, 1386 SH, pp. 21-22). Qarḍāwī maintains the following features are the general features of Islamic doctrine:

- 1) Being divine. This aims at the following two points: (a) the divine nature of the goal; and (b) the divine nature of the source and plan (Qarḍāwī, 1983, p.9). The former means that the ultimate goal and ideal is establishing a good relationship with God and achieving His consent (ibid). The means to achieve 'being divine' in social life for a Muslim are through worship (ibid, p.27), and observing individual, social, and Islamic manners of conduct or Islamic education. The Islamic method in doctrines, worship, manners of conduct and morality as well as religious laws is a purely divine method and its source is taken from the divine definite verses and the Prophet's Sunnah or way of life (ibid, p. 39).

- 2) Being humane means the clear, genuine and fundamental attitude of Islam in worship, laws, and instructions, and the goals of this system show that Islam is a humane religion and way of living (Qarḍāwī, 1386 SH, p.103; idem, 1983, p.57). In this regard, some verses have been adduced, such as the verse 29 of Sūra *Hijr* in the Quran: "... and I breathed into him of My spirit". Thus, Islam's doctrines, guidelines and laws are specified to the man. For Qarḍāwī, the signs of dignifying man are stated in the Quran, which are as follows: making him God's vicegerent on the Earth (Baqara, 30-33), creating man in the most purified and beautified form (Tīn, 4; Taghābun, 3), making the man superior with revelation (Sajda, 8-9), putting the existence at the man's disposal (Ibrāhīm, 32-34), recognizing all aspects of the man's existence (Qarḍāwī, 1386 SH, pp.130-142). Qarḍāwī enumerates the results of humanism in Islam as follows: brotherhood, equality, and freedom (ibid, pp.155-156).
- 3) Being comprehensive and inclusive is among the features that distinguishes Islam from other religions, philosophies and thoughts. This comprehensiveness and inclusiveness has encompassed all existential dimensions of the man and all aspects of his life in all times (Qarḍāwī, 1983, p.105). In this regard, Qarḍāwī has adduced the following verses of the Quran: verses 128 and 132 of Baqara, verse 25 of Anbiyā, verse 101 of Yūsuf, verse 84 of Yūnis, verse 126 of A'rāf, verse 31 of Naml, verse 52 of Āl 'Imrān, etc. (Qarḍāwī, 1386 SH, p.179). The aspects of inclusiveness of Islamic doctrines, for Qarḍāwī, are as follows: (a) comprehensiveness of the Islamic creed (Qarḍāwī, 1983, p.113), (b) inclusiveness of worship in Islam (ibid, p.115), (c) inclusiveness of morality in Islam (ibid, p.117), (d) inclusiveness of law in Islam is such that it influences the whole life of the human beings. The doctrines and laws of Islam is a continuous and inseparable collection (ibid, pp.121-123).
- 4) Moderation (*al-wasatīyya*). Islam is moderate in doctrine, insight, worship and piety, morality, and social conduct as well as legislation and religious system (Qarḍāwī, 1386 SH, p.230-231), as the Quran also refers – in some *sūras* – to moderation and equilibrium in existence. Some

examples are the verse 143 of Baqara, the verses 7-9 of ar-Raḥmān, the verse 49 of Qamar, the verse 3 of Mulk, and the verse 40 of Yāsīn (Qarḍāwī, 1983, p.113, 128). Moderation is found in the following four sections: doctrine and conception (ibid, p.135), worship and rites (ibid, 137), morality and manners of conduct (ibid, 138), and legislation and system (*al-tashrīf wal-niẓām*) (ibid, p.147).

- 5) Realism. Realism means a precise look at existence as it is an objective and palpable truth which can be experienced and suggests a higher truth and an older and everlasting existence, i.e. the Necessary Being who has created everything and precisely measured them. Realism has been offered in sections pertaining to Islamic creed (ibid, p.161-162), Islamic worship (ibid, 163-164), Islamic morality (Qarḍāwī, 1983, p.165), and in Islamic *Sharīʿa*. That is, it does not ignore the existing realities and conditions in specifying the creed, worship, morality and religious laws pertaining to licit and illicit things, and considers realism in all systems and rules set for individual, family, society, government, state, and humanity in general (ibid, p.170). Some background conditions that lead to realism in Islamic *Sharīʿa* are as follows: removing distress and constriction and substituting it with laxity (*al-taysīr*), wherein some verses have been adduced such as the verses 185, 233, and 286 of Baqara, and the verse 7 of Ṭalāq (ibid, 177).
- 6) Clarity (*al-wuḍūḥ*). For Qarḍāwī, Islam enjoys clarity and obviousness. Islam's clarity shows itself in sections on fundamental doctrinal principles, sources, ideals and goals, and mechanism and tools. Clarity is seen in Islam's doctrinal principles such as having faith in God, having faith in divine missions, and having faith in the hereafter, which have been referred to in various verses (ibid, p.187-188). Another manifestation of clarity in Islamic system is that it has definite sources (*maṣādir*), i.e. the Quran and the Sunnah, from which the theoretical philosophy and the practical laws are extracted (ibid, p.195).
- 7) Creating harmony between flexibility (modernity) and fixity (tradition) (*al-Jamʿ bayn al-Taṭawwur wal-thubāt*). Islam as the last religion

enjoys two elements of fixity (*durability*) and modernity (flexibility) which is granted to it by God, and is among the masterpieces of miracle in religion. This is the trans-temporal and trans-spatial feature of religion (ibid, p.216). In Qarḏāwī's view, the boundaries of fixity and flexibility are as follows: (a) fixity in goals and ideals, and flexibility in tools and methods; (b) strictness and traditionalism in principles and generalities, and leniency and renewability in subdivisions and details; (c) insistence and traditionalism in regard with religious and moral values, and flexibility in forms and frames as well as worldly and scientific tasks (ibid, p.216-217). For Qarḏāwī, the collection of Islamic jurisprudence, with all its various denominations, follows the Quran and the Prophet's Sunnah in moving towards fixity and flexibility; that is, it is fixed and stable in generalities, and flexible and renewable in subdivisions and details (Qarḏāwī, 1983, p.240-241). The Muslim jurist has been – truly – restricted by the strong and stable texts fixed by the Quran and Sunnah. These texts are definitely proved with definite denotations and the Muslim jurist has no right to add or delete even a word; however, there are two broad spheres of the legal reasoning (*ijtihād*) and exerting one's opinion which the Muslim jurist can infer with freedom (ibid, p.241). These two spheres are as follows:

- A. The free sphere of legislation: the first sphere is called the free sphere of legislation, an area where the Legislator has left the text free and blank for the *Ulu-l-ʿAmr* (those in authority) and the expert to make legal reasoning, so that the opportunity is given to them to present systematic legal opinions and methods wherein the public goods and religious goals are considered (ibid).
- B. The sphere of non-definite (*mutashābih*) texts wherein God's will is to leave them in probable mode so that they may be subject to various readings including narrow-thinking or broad-thinking, scale-centered, appearance-oriented, strict or lenient, and realistic or presumptive readings. In the light of this variety, a broad field and a proper opportunity is prepared to be able to assess and

evaluate different opinions and choose the closest one to rightness and the most consistent one with religious values and various social and political conditions and use them (ibid, p.242-243).

Qarḍāwī maintains that the feature of reconciliation between fixity (tradition) and modernity (*al-marūna*) is true in the Islamic society (ibid, p.250-252). The Islamic society is both static and dynamic. This society is similar to a flowing river which is always in motion and renewal state but is always running in a specified orientation and towards a known destination. To avoid intellectual stiffness and petrification as well as a valueless and frail society, it is necessary to have both elements of fixity and renewal (ibid, p.255).

3-2. The intellectual features and the mental world influencing ‘Allāmah Ṭabāṭabā’ī’s political interpretation

‘Allāmah Sayyid Muhammad Hussein Ṭabāṭabā’ī is known as one of the thinkers in the Shiite world, and even in the Islamic world in general. The intellectual depth and new approaches in interpretation of the Quran as well as new attitudes in political-social issues are among his intellectual and exegetical features.

3-2-1. the general features of ‘Allāmah’s view on Islamic creeds and doctrines

The Islamic creeds and doctrines encompass a widespread collection of subjects, including the following ones:

- A) A network of laws and rules that form the Islamic jurisprudence. Jurisprudence regulates the individual and social stillness and movement as well as any one's activity and situation in any time and place under any public or private conditions related to his life (Ṭabāṭabā’ī, 1389 SH, p.47). The Islamic jurisprudence is the most widespread Islamic science in variety of discussions and multiplicity of issues (ibid, 1387 SH, p.57).

A broad scope of the spiritual and moral statements of Islam, which assesses any moral activity and offers an example for human society

deserving the human's perfection.

B) In the level of Islam's general view of the existence, an Islamic general philosophy as well as the related sciences including cosmology and spiritual anthropology and – finally – God's knowledge has been presented in the most vivid form and the most direct method. And all these elements lead – in the last analysis – to one single truth, i.e. monotheism and acknowledging God's oneness which is the basic principle in all Islamic sciences (ibid, 1389 SH, p.47-48). The sacred religion of Islam has founded its invitation on the following three basic and simple clear principles:

One) Principle of obtaining felicity and salvation as a necessary humane principle, and Islam's invitation to obtaining felicity and salvation starts with acknowledging God's oneness: "Say 'There is no God but Allah' to achieve salvation" (ibid, 1388 SH, p.89-90).

Two) Human's felicity is attainable in the light of realism. The felicity of human beings cannot be attained through fancy and depravity. The true documents of the sacred religion of Islam are based on human's realism (ibid, p.90-91).

Three) Using the method of intellection and thinking in one's tasks is a characteristic through which one decides about any task. 'Allāmah Ṭabāṭabā'ī uses the three aforementioned principles to conclude that the man must attain his true felicity through intellection (ibid, p.91-92).

3-2-2. Ṭabāṭabā'ī enjoys influential Quranic and exegetical features

The most important of such features are as follows: (a) Ṭabāṭabā'ī considers the Quran as '*tibyānan li-kull-i shay*'¹ (i.e. 'as a clarification of all things'), and his method is 'interpreting the Quran by the Quran' with the

1. The Quran, Naḥl, 89.

help from reason and *ijtihād*. That is, he has used the Quran itself to discern the Quran's purposes and truths (Ṭabāṭabā'ī, 1374 SH, vol.1, p.17-18). For Ṭabāṭabā'ī, the value of reason is rooted in the heart of the Quran's teachings (Kabīriyān, 1387 SH, p.32); (b) the Quran has considered different levels of understanding in perceiving the spiritual points, stating its teachings in proportion to the simplest level in a simple language (that of ordinary people) (Ṭabāṭabā'ī, 1353 SH, p.40-42).

3-2-3. the role of neo-Ṣadrā'ī school in political-social thought

By putting forward the epistemological discussions and explaining conventional or mentally-positing things (*i ḥibāriyāt*) as well as the philosophy of society and the philosophy of human being independently, Ṭabāṭabā'ī has had a new look at neo-Ṣadrā'ī philosophy (Khosrow-Panāh, 1390 SH, col.1, p.27). The features of Ṭabāṭabā'ī's neo-Ṣadrā'ī philosophical school are as follows: (a) realism in cognition, meaning that we have a reality outside us and prove it innately (Ṭabāṭabā'ī, 1387 SH (A), p.38-39); (b) the effect of separating truths from *i ḥibāriyāt* on Ṭabāṭabā'ī's political-social thought is important (ibid, p.57); (c) 'Allāmah Ṭabāṭabā'ī's philosophical school has reason, religious law and mysticism simultaneously. We may say that it is Ṣadrā'ī (of Mullā Ṣadrā) in its basis and Ṣīnā'ī (of Avicenna) in its method (Ardistānī Kūchinānī, 1388 SH, p.45-46).

3-2-4. Human's social entity has been confirmed in Ṭabāṭabā'ī's political-social thought and interpretation through the theory of conventional (*i ḥibāriyāt*) perceptions,¹ and has found depth and strength from the philosophical aspect (Yazdānī Muqaddam, 1390 SH, vol.2, p.252-253). Ṭabāṭabā'ī divided the '*i ḥibāriyāt*' into two groups: "*i ḥibāriyāt* before community"

1. For further information, see Ṭabāṭabā'ī (1385 SH). *Uṣūl Falsafa wa Rawish-i Ri'āṣism*, vol.2, Martyr Muṭahharī's intro and footnote (14th ed.), p.145. Tehran: Ṣadrā Publications.

(Ṭabāṭabā'ī, Uṣūl-i Falsafa wa Rawish-i Ri'ālism, 1387 SH, pp.127-128, 130-136) and *i ḥibāriyāt* after community (ibid, p.126). In explaining the second group and the most important part of the theory of conventional perception – i.e. '*i ḥibāriyāt ba'd al-Ijtimā'*, or the *i ḥibāriyāt* after community', Ṭabāṭabā'ī refers to four convention and contract after formation of human community, which human beings use in the political-social system (ibid, p.145). One of them is the 'principle of ownership', which is the permission of any appropriation after the community (ibid, pp.130-133). According to this principle, new laws and effects were contracted for humans' appropriations, then called 'rights' (ibid, p.146). Creation of words (speech) and need for coining words (ibid, pp.147-149), the habit and talent of 'employing', which then became the origin of presidency and subordination and their implications, were among them. 'Command and interdiction' are among the *i ḥibāriyāt* after community, which emerged after presidency and subordination (ibid, p.152) as well as a series of contracts considering the equality of the two parties, contracted between individuals on the basis of needs of the community, among which one can refer to various types of transactions, relations, and balanced social rights (ibid, pp.153-154). For Ṭabāṭabā'ī, the conventional conceptions encompass and influence all human perceptions (ibid, p.152). Accordingly, a new definition of the man as the originator of 'convention' in the society and an explanation of the origin and the source of formation of community and transition from natural situation to civilization is acquired (Hūshangī, 1394 SH, vol.2, p.439-440). This theory has influenced Ṭabāṭabā'ī's political-social interpretation.

4. The political interpretation of the Quran in Qarḍāwī and Ṭabāṭabā'ī's thought

4-1. Yūsuf Qarḍāwī's political interpretation of the holy Quran

Qarḍāwī has investigated the status of government in Islam. He has severely criticized the idea that Islam is a religion without any government (Qarḍāwī,

2001, p.13). For him, using political Islam as opposed to non-political Islam is a wrong usage. This is while politics is in the heart of doctrines of Islam (Bahrānī, 1390 SH, vo.16, p.231) and the nature of the state established by Islam is a civil, legal and consultative state whose source and foundation is Islam; indeed, it is not the state in the sense common in the west wherein power is sacred (ibid, p.58-59). Qarḍāwī offers certain reasons for the state's position in Islam and the Quran as follows:

Islamic texts, especially the verses 58-59 of Sūra al-Nisā, explicitly refer to the government and state:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا * يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

"Indeed Allah commands you to deliver the trusts to their [rightful] owners, and to judge with fairness when you judge between people. Excellent indeed is what Allah advises you. Indeed Allah is all-hearing, all-seeing. O you who have faith! Obey Allah and obey the Apostle and those vested with authority among you. And if you dispute concerning anything, refer it to Allah and the Apostle, if you have faith in Allah and the Last Day. That is better and more favorable in outcome."

In interpreting this verse, he asserts that the first verse addresses the rulers and governors who must observe the trusteeship and behave justly. For Qarḍāwī, these two verses, altogether, refer to the necessity of establishing a state as an obligation for both ordinary people and the elites (Qarḍāwī, 2001, p.15).

A) Using the history of Islam in establishing Islamic state, he refers to the Prophet's practical way of life in establishing the Islamic state as the most important confirmation for the Quran. For Qarḍāwī, there is no separation between the state and religion in the Muslims' history (ibid, pp.16-17).

B) Islam's nature and essence and its mission as a complete religion has

never ignored the aspects of human life, and one cannot presume that the position of the state has been ignored in Islam and the Quran. In Islamic doctrines, the order, responsibility and imamate for leadership of the society to direct people towards felicity have been given special importance (ibid, p.18). In Qarḏāwī's view, creating 'Islamic state' on the basis of the creed, ritual issues and moral matters is essential or even a necessity in human life (ibid, p.21).

For Qarḏāwī, the features and signs of the Islamic state in its goals, elements and other characteristics are different from other existing states (ibid, p.30); these are as follows:

- (a) The Islamic state is a civil state established on the basis of two principles of allegiance and council. This state chooses its agents from those who are strong, trusted, knowledgeable, and protector. For Qarḏāwī, this state is not merely a religious state in the sense of western theocracy whose goals is governing people in the name of a divine right (ibid).
- (b) The Islamic state is a global state (*dowlat 'ālamīyya*); that is, it is not an ethnic state specified to one special region, and its doors are open to any believer who believes in its principles and tenets (*dowlat maftūḥa*). The unity of this state is originated from having faith in One God, His messenger, one Book and Qibla, forming the 'one nation'. The bases of Islamic caliphate and state is consisted of the pillars: unity of *dār al-Islām* (one Islamic nation), unity in the source of legislation (the Quran and the Sunnah), and unity in the central leadership manifested in the great imam or caliph (ibid, p.32).
- (c) The Islamic state is a legal one with a charter and constitutional law taken from the holy Quran and stated by the Prophet's Sunnah in creeds, worships, morality, transactions, and relations including personal, social, penal, administrative, legal and governmental ones. Here, Qarḏāwī adduces the verses 44-50 of Mā'ida (Qarḏāwī, 2001, p.32).
- (d) The Islamic state is consultative. Islam accepts the people's status in the state, but the Islamic democracy is not a version of the western

democracy. Besides, any member of the nation – whether man or woman – can advise the Islamic ruler or order him to do good and forbid him from doing evil, according to the verse 71 of sūra Towba. Here, Qarḍāwī adduces the verses 282-283 from sūra Baqara (ibid, p.37).

- (e) It is the duty of the Islamic state to prepare the ground for the guidance of people. The Islamic state is a doctrinal state founded on the basis of *sharīʿa* (i.e. religious law). The state has broad and deep functions including the following ones: educating the members of the Islamic nation on the basis of the Islamic teachings and doctrines, and preparing them for diffusion and promotion of Islamic values in the society, in a way that all people receive complete arguments (ibid, p.40-41).
- (f) The Islamic state must be founded on the basis of protecting the rights of the poor, not considering just the rights of the rich. To do so, Islam has set financial laws such as *zakāʿt*, so that the state is not specified to the higher classes of the society. Here, Qarḍāwī adduces the verse 7 of sūra Ḥashr (ibid, p.41).
- (g) The Islamic state – from the viewpoint of faith and commitment, not a formal claim – is a state that observes the rights and freedoms of the individuals. The right to living, the right to ownership, the right to security of life, property, prestige, generation, and the like has been regarded essential in Islamic law. Here, Qarḍāwī has adduced verse 4 of sūra Quraysh (Qarḍāwī, 2001, p.48-49).
- (h) The Islamic state is a moral state with humane principles and values, not infringing its principles and values, whether inside the territorial limits or outside them, in the time of peace or war, the principles of Islamic state do not alter; and achieving truth through falsehood is not acceptable according to the moral principles of Islam. Here, Qarḍāwī adduces the verse 135 of sūra Nisā and verse 8 of sūra Māʿida (ibid, p.50-51).
- (i) For Qarḍāwī, the right and qualified system is the one with both individualism and socialism, not giving any privilege to one of them

(ibid, p.150). Accordingly, Islam has considered the values of individual and society together. Islam and the Quran have considered the following rights as the human rights: right to life, right to be prestigious (Qarḏāwī, 1983, p.150-151), right to ownership, personal independence, freedom of belief, freedom of criticism (ibid, p.151), freedom of expression and thought (ibid, p.152), and individual responsibility of all Muslims for enforcing divine laws (ibid, p.154-155). Even beyond right, it considers any human's duty to think and contemplate (ibid, p.152). Regarding the manners and method of treatment, Islam has considered and encouraged the chain of social rites, denouncing loneliness and reclusion (ibid, pp.155-156).

2-4. 'Allāmah Ṭabāṭabā'ī's political-social interpretation of the holy Quran

The political-social interpretation of the Quran by 'Allāmah Ṭabāṭabā'ī is under the influence of aforementioned intellectual features. One of them is the theory of conventional perceptions (Yazdānī Muqaddam, 1390 SH, vol.2, p.273). In the discussion on conventional (*i ʿibārī*) perceptions, 'Allāmah Ṭabāṭabā'ī offers an interpretation of social thought according to which any society attempts to infuse its thoughts, policy and interests – as a part of collective benefits - in the minds of the individual. This is an analysis of human's social nature (ibid, p.264). Accordingly, community has an independent truth and existence. Community plays role in all states of an individual and is of great importance, and one's education is realized in the context of the community (Ṭabāṭabā'ī, 1374 SH, vol.4, p.149). The Quranic desirable state and its political-social interpretation from Ṭabāṭabā'ī's viewpoint are found in the verse 200 of sūra Āl-i 'Imrān:

يَا أَيُّهَا الَّذِينَ آمَنُوا اصْبِرُوا وَصَابِرُوا وَرَابِطُوا وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ؛

"O, you who have faith! Be patient, stand firm, and close [your] ranks, and be wary of Allah so that you may be felicitous."

Regarding the abovementioned verse, and especially the term *rābiṭū*

("close your ranks"), Ṭabāṭabā'ī has put forward a detailed discussion on the social-political issues in his book, *al-Mīzān* (Ṭabāṭabā'ī, 1390 SH, vol.4, p.91). The term *iṣbirū* ("be patient") in this verse refers to individual patience. The term *ṣābirū* ("stand firm") refers to the collective patience, and the term *rābiṭū* is related to the creation of a society and relationship among forces and their function in all affairs of the religious life in society, including this world and the hereafter (Ṭabāṭabā'ī, 1390 SH, vol.4, p.92). Here, we refer to some of them:

1. In Ṭabāṭabā'ī's view, the man is a social creature, and human's history and effects confirm this. And the Quran affirms it in various verses, such as verse 13 of sūra *ḥujurāt* (Ṭabāṭabā'ī, 1390 SH, vol.4, p.92).
2. Human's growth is realized in the society (ibid).
3. For Ṭabāṭabā'ī, there is a true relationship between the community and the individual (Ṭabāṭabā'ī, 1390 SH, vol.4, p.95). In addition to stressing on the existence of the individual, Islam and the Quran confirm the independent identity and existence of community (nation). Verses such as verse 34 of sūra *A'rāf* ("and every nation has its term. When its term comes, they cannot put it off an hour nor yet advance it"), and other verses such as verse 28 of sūra *Jāthiya*, 108 of sūra *An'ām*, 66 of *Mā'ida*, 113 of *Āl-i 'Imrān*, 5 of *Ghāfir*, 47 of *Yūnis* speak of the independent existence of community (nation) (Ṭabāṭabā'ī, 1390 SH, vol.4, p.96). For Ṭabāṭabā'ī, establishing Islamic laws and *sharī'a* and, more importantly, establishing Islamic state is conducted on the basis of social purposes (true felicity and divine proximity).
4. Islam has given importance to community and the foundation of Islam is explicitly on community (Ṭabāṭabā'ī, 1390 SH, vol.4, p.94). No religion has emphasized sociality like Islam (ibid, p.97). In Ṭabāṭabā'ī's view, Islam is social in all its states (ibid, p.126).
5. For Ṭabāṭabā'ī, religion has a social tint (ibid, p.122) and thus Islam has founded community on the basis of belief, not on the basis of sex, ethnicity or homeland, etc. (ibid, p.125). In the ideal situation, the borders

of Islamic nation are not natural or geographical borders; rather, they are doctrinal (ibid).

6. From this viewpoint, the man – after entering the community and the realization of community – reaches the stage of state and the 'community' is mediator between him (the individual) and the state (Ṭabāṭabā'ī, Uṣūl Falsafayī Ri'ālism, 1378 SH, p.145). According to the principle of 'conventional things after the community' (*i'ibāriyāt ba'd al-Ijtimā'*), the state is generated after the formation of community, but religion has existed before the community innately (Ṭabāṭabā'ī, 1374 SH, vol.4, p.96). And the community has been a mediator between the man and his perception of religion. Indeed, the community has assisted the man in understanding religion, and religion has been the factor for unity of the community (ibid, p.95).
7. Rationalism has a special position in the state. In Ṭabāṭabā'ī's view, perceiving and receiving the divine and religious knowledge is done by reason (Yazdānī Muqaddam, 1390 SH, vol.2, p.274), and giving up the rational method leads to the fall of humanity and social inequality (Ṭabāṭabā'ī, 1390 SH, vol.10, p.292-293).

Understanding the Quran, religious knowledge and reasoning in religion is done by using the reason and contemplation of all members of community, and leads to the realization of an intellectual community. The intellectual and rational community has some features such as the followings: (a) it is accompanied by freedom of belief; (b) it encompasses the social and political decision-making (ibid, 1374 SH, vol.4, pp.121-125, 129-131); (c) the 'principle of unity' (Ṭabāṭabā'ī, 1374 SH, vol.4, ppp.149-150) is strengthened in community. By adducing some Quranic verses such as verse 103 of sūra Āl-i 'Imrān ("Hold fast, all together, to Allah's cord, and do not be divided"), Ṭabāṭabā'ī asserts that unity means all the members of community want to participate in thinking, contemplating, understanding, perceiving, inferring and deciding, and the social action is the result of discussion and dialogue (Ṭabāṭabā'ī, Shī'a,

1378 SH (B), p.71-73; idem, 1374 SH, vol.4, pp.169-170).

8. The role of social justice in the society and the state leads, in Ṭabāṭabā'ī's view, to establishment of human community. Human's felicity and salvation is related to his social good (Yazdānī Muqaddam, 1390 SH, vol.2, p.266). On the basis of the conventional perceptions after the community, Ṭabāṭabā'ī maintains that the man, after formation of the community, found the importance of establishing the community and tried to create equilibrium in the social arrangements and relationships, which is called 'social justice' (Ṭabāṭabā'ī, 1374 SH, vol.2, p.176). Humans' mutual need of each other in their social life forced them to limit their latitude and freedom and accept the justice, because in any area of the world where a person gains power and becomes more powerful than others, the social justice and cooperation is weakened (ibid).

Considering the aforementioned issues, the political interpretation of the state in the Quran from Ṭabāṭabā'ī's viewpoint is done using the Quranic verses. Ṭabāṭabā'ī considers the verse 26 of sūra Āl-i 'Imrān ("Say, 'O Allah, Master of all sovereignty! You give sovereignty to whomever You wish, and strip of sovereignty whomever You wish; You make mighty whomever You wish, and You degrade whomever You wish; all choice is in Your hand. Indeed You have power over all things.'") to deal with a political-social interpretation of the term '*mulk*' in the Quran (Ṭabāṭabā'ī, 1390 SH, vol.3, p.144).¹ For Ṭabāṭabā'ī, lordship and sovereignty are not of positive (*ta'ṣībī*) prescripts; rather they are of ratified (*imḍā'ī*) prescripts. Indeed, Islam has not rejected the common state among people and the historical evolutions; rather, it has made modifications in the state (Yazdānī Muqaddam, 1390 SH, vol.2, p.267). Ṭabāṭabā'ī asserts that the validity of sovereignty and lordship is like

1. In this regard, one may refer to the following sources: Ṭabāṭabā'ī M. Ḥ, *Tafsīr al-Mīzān*, vol.3, p.145-147; Sayyid Hādī Khurramshāhī (1388 SH). *Barrasīhāyi Islāmī*. pp. 156-157, 172-174. Qom: Būstān-i Kitāb; Ṭabāṭabā'ī, M. Ḥ. (1386 SH). *Shī'ā dar Islām* (Sayyid Hādī Khurramshāhī, ed.). p. 151. Qom: Būstān-i Kitāb.

other conventional issues which the human community has always sought to complete, modify and remove the inconsistent effects of it. Here, the divine prophets have played a more complete role, because they have invited people to God's servitude, promote justice, and fight the oppression in centuries (Ṭabāṭabā'ī, 1390 SH, vol.3, pp.147-148). According to the analysis of the conventional things after the community, the humans' motivation in forming the presidency system and other aspects of government is escaping the oppressions of previous regimes; and there may be other regimes with various forms and contents in the future centuries (ibid, vol.3, p.145-146). For Ṭabāṭabā'ī, the state in the society has functions and benefits that are as follows: (a) establishing social justice is the main function of the state in line with the social life, i.e. establishing social justice, and the individuals' felicity is dependent on it (Yazdānī Muqaddam, 1390 SH, vol.2, p.267); (b) the state prevents the eruption of talent of employing individuals in the society. The state is among the factors of founding the community and human civilization (Ṭabāṭabā'ī, 1387 SH (A), p.149; Ṭabāṭabā'ī, 1374 SH, vol.2, p.187).

In Ṭabāṭabā'ī's view, religion is the influential factor in modifying the state and its form (Yazdānī Muqaddam, 1390 SH, vol.2, p.268). By inviting people to monotheism and negating social discriminations, religion casts doubt on and denies the state's unique and special right in ruling and sovereignty (Ṭabāṭabā'ī, 1390 SH, vol.4, p.123). What Islam and the Quran have invited people to is forming community and uniting around religion, and the state is one of the necessities for this unity which emerges – like other social necessities – in the community (Ṭabāṭabā'ī, 1374 SH, vol.3, p.233). Accordingly, the form of the state will not be fixed and can appear in different forms (ibid, pp.227-228). Thus, the favorite state in Ṭabāṭabā'ī's view is the religious social state (*ḥukūma ijtimā'īya dīniyya*) (Ṭabāṭabā'ī, 1390 AH, vol.9, p.264; ibid, 1388 SH (A), pp.96-97). The religious and Islamic state in Ṭabāṭabā'ī's view has the following features: (a) Muslims determine the ruler in the Islamic society; (b) determining the ruler is based on the tradition of imamate; indeed, it is not a royal or despotic state; (c) the ruler must protect the prescripts of religion;

(d) the state needs to consult Muslims and the Islamic community (Ṭabāṭabā'ī, 1387 SH (D), p.122). The desirable state for the Islamic society, in Ṭabāṭabā'ī's view, is called "humane state" (Ṭabāṭabā'ī, 1390 AH, vol.9, p.115).

Conclusion

The main issue in this study is a comparative investigation of the Quran's political interpretation in Yūsuf Qarḍāwī's thought and that of 'Allāma Muhammad Hussein Ṭabāṭabā'ī. The theoretical framework of this study has been organized on the basis of the "author's intentionalism" reading. On that basis, three dominant political discourses of the time, the two author's intention in writing, their mental world and intellectual characteristics in their political interpretation of the Quran have been investigated. The comparative aspects of the political interpretation of the Quran for Qarḍāwī and Ṭabāṭabā'ī in two main dimensions are as follows:

A) The comparative features and the mental world of Qarḍāwī and Ṭabāṭabā'ī in respect with the common points of the effective intellectual features and the mental world are as follows: (a) in the general features of Islam and Islamic attitude, both of them have a common view in regard with divinity of Islam's purpose and goal, its being humane, its being widespread (maximal aspect), its realism and clarity; (b) they have common exegetical features such as paying attention to the Quran's language, paying attention to the Quran's features in issuing precepts and their denotation, the role of right and authentic tradition in interpreting the Quran, etc.); (c) they stress on no separation between religion and politics (the state) and the necessity of the Islamic state; (d) they emphasize the effect of jurisprudence and *Sharī'a* in political attitude; (e) paying attention to the Quran's social discussion; and (f) emphasizing the role of moral and mystical discussions are among the common points between the views of Qarḍāwī and Ṭabāṭabā'ī.

But their points of difference are as follows: (a) while both thinkers are influenced by the revival of Islamic thought, they are from two

different thinking backgrounds and contexts, one from the Sunnite-Arabic thinking context and the other from the Iranian-Shiite thinking context. In other words, one can study Qarḏāwī in relation to al-Azhar's thought and Ṭabāṭabā'ī in relation to Najaf-Qom's thought, and evaluate the intellectual genesis of them in two different contexts. In this regard, the type of education, the type of looking at the man, the cosmological foundation, the epistemological foundations of the political thought, and the moral foundations of both thinkers are different and effective. Each of them have attempted – on the basis of the theoretical features and the practical solutions in accordance with the political jurisprudence of their denominations – to organize their political and social behaviors according to the Book (the Quran), the Sunnah (the Prophet's way of life) and reason to generate a powerful motive for creating political-social movement and changes in accordance with the Quran; (b) the other type of distinction returns to the thinking method, in a way that the philosophical discussions in 'Allāmah Ṭabāṭabā'ī's view have been strong and extraordinarily influential. In 'Allāmah Ṭabāṭabā'ī's philosophical approach, the innovative views in philosophy, Islamic philosophy including Islamic mysticism, and the rational and social features influenced by the social theory of conventional perceptions have found a special status and new interpretations. On the other hand, the dominance of jurisprudential, legal discussions as well as the independent discussions on political system and the government in Qarḏāwī's thought has been considered and investigated more than Ṭabāṭabā'ī's thought, in a way that the discussions of Islamic jurisprudence have been studied in Qarḏāwī's thought in a systematic way. In other words, Ṭabāṭabā'ī considered the subject (the man) as constructed by the philosophical thinking, and both the construction of the subject and the subject itself are important for him. In this regard, the subject is active and generates validity. This view of the subject (the man) is a deep one. In Qarḏāwī's maximal reading of *Sharī'a*, a type of duty-centered man emerges, who is

obligation-oriented more than being a constructive subject. This type of human being is obliged to do his obligations more than being active and validity-making in the political system. Thus, Qarḍāwī's definition is different from that of Ṭabāṭabā'ī. The definitional concept of the monotheist man in Ṭabāṭabā'ī's concept is his being validating and socially active in view of various levels of the existence and the man. The monotheist man in Qarḍāwī's view is a legally competent and worshipping one who has a rather superficial and outward reading of religion.

B) The comparative analysis and investigation of the political and social interpretations of the Quran offered by Qarḍāwī and Ṭabāṭabā'ī are as follows: for Qarḍāwī, Islam is both a religion and a political system. The Islamic state is a civil state and governs according to the Islamic laws and precepts found in the Quran. This means that the state exists in the essence of Islam. From the advent of Islam, the state has been its twin and companion, and as its inseparable section. Qarḍāwī maintains that the essence and the nature of the state established by Islam is a civil, legal and consultative state whose foundation and referent is Islam. The status of *dowlat* (the government and the state) in Islam is of great importance in Qarḍāwī's view. The most important evidences for this position can be found in the Prophet's practical way of life in establishing the Islamic state. The Muslim's history and Islam's nature show that there is no separation between the religion and the state. In Ṭabāṭabā'ī's thought, religion has a social tint, and the politics and the state are of secondary status and among the necessities of the society. Besides, accepting the conventions is common among human beings; and Islam has recognized many of [human] conventions, contracts, states and policies through confirmation and verification. The only difference is in the type of orientation, i.e. divine orientation and non-divine orientation. Accordingly, Ṭabāṭabā'ī introduces the Islamic state as a human and social state. The Islamic state (the social religious state), since it is religious, has the duty to exert the Islamic precepts

and establish religious laws. In confronting with the rival opinions, both Qarḏāwī and Ṭabāṭabāʾī maintain that the religious doctrines have independent entity in facing with the rival thoughts. For both thinkers, the state is a necessity for the society. In the findings of the study, we may say that both thinkers have attempted to present a pure, genuine, formative, motivating, and system-making image of the Quran. The discussions related to the political-social interpretation of the Quran have been put forward regardless of their divisive aspects in the Muslim nations, and are aimed at returning to the Quranic purified life.

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Research Article

**Analysis of Civilization and Formation of
"Order" in the Islamic World¹**

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Abstract

In the science of international politics, subjects such as "the nature of international system", "anarchy", "order" and "change" are considered as the content concepts. Each of the theories of international relations explains the concepts and, accordingly, presents its formation of the milieu of international system and its subdivisions. The present study is placed under the great question of what explanation the level of civilizational analysis in international politics presents for "order" in international system. It specifically deals with the following question: "If we evaluate the 'order' in the realm of a region – such as west Asia or a wider area such as the Islamic world – using the level of civilizational analysis, what formation of 'order' will it offer?" It seems that the hypothesis of 'level of civilizational analysis' in the international politics in dividing the regions of the world presents a new plan and transmits it beyond the dualism of global analysis/ regional analysis. Thus, it explains the campaigns inside the international system on the basis of presenting a new formation of 'order', the rules for its formation and the sources effective in its formation. The

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level of civilizational analysis analyzes the order in the Islamic world by considering different forms of Islamic civilizations (or civilization trends) inside the Islamic world, and explains the behavioral campaigns (convergent/ divergent) on the basis of hierarchal division of civilization inside the Islamic world.

keywords

international politics, level of analysis, civilization, order, Islamic world.

Introduction

Civilization thinking has grown considerably in the last three decades. Some part of this growth is influenced by the theory of the "Civilization Clash" and the rival theories, and some part influenced by the practice and people's leaning towards the concept of "civilization" in countries such as Iran, Turkey, Malaysia, China, and the like. In spite of many detailed writings and establishment of numerous institutions for studying civilizations in Iran, paying attention to civilization in international politics has been marginalized despite the attention of western scientific centers to it and the scientific development of the academic discipline of international relations influenced by the concept of civilization. Recognizing the scientific evolutions in the global sphere and giving priority to amending the existing scientific gaps in that sphere is the most important factor that makes research in this sphere necessary. The emergence of the level of civilizational analysis in international relations has been accompanied by entrance of new concepts such as civilizational identity, civilizational state, civilizational order, and the like. Applying these concepts in civilization analyses has been vividly clarified and, after three decades of scrutiny on the part of experts of international relations, we can clearly speak of the level of civilizational analysis in international relations, and apply it for understanding and explaining or predicting the future condition of the world and spheres such as Islamic world.

The Islamic world has seen upheavals in the two last centuries. Insecurity, disorder, and continuous crisis are the main symptoms of upheavals in the Islamic world. The internal crises in the countries, wars among the Islamic

countries, cutting relations or having minimal relations, difficulties in relations with western world, emergence of unbridled crises such as the emergence of Ṭālibān and ISIS are vivid examples of the upheavals. The complexity of this situation caused the emergence of different theories in analysis of the conditions of the Islamic world, so that one can present – in the light of those theories – a variety of methods for getting out of the existing situation.

One of the new analytical levels in the science of international relations is the level of civilizational analysis. When we use the level of civilizational analysis as the tool for analyzing the international politics, we must investigate what interpretation it would present of the basic concepts of the international politics such as order, anarchy and change; and accordingly, what would be the nature of the international system and the formation of the world order, and what rules are applicable to 'order' in the international system. On the other hand, when civilization is used as the basis for analysis, we must pose the following question: "which disorder and crisis can the level of civilizational analysis – as Spragens (1976) says – find, identify its reasons and offer solutions for?" And finally, if we want to use civilization as a theory, what would be the main questions pertaining to civilization? After that, we may deal with some minor – but more important – questions regarding analyzing the phenomenon of order and change in global subsystems such as the Islamic world. The questions posed are as a major project in stating the relationship between civilization and international politics. The preliminary parts of the present discussion are two topics: "order in the international politics" and "civilizational order in international politics". In the discussion on 'order' in the international politics, the main question is "how the order is formed in the international politics, and whether the order in international politics is country-centered or there are other elements – such as international system, regional system and the like – involved in creating order". To answer these questions, there are different ideas and views, and this is among the issues with no theoretical consensus around it. The lack of consensus in the scientific theoretical debate in the

science of international relations is rooted in elaboration of elements (including material and immaterial) of global community and the extent of their role in influencing the global politics. This is because the main question in the science of international relations, despite all changes realized in it, is how the states act and how other variables affect their behavior (Jackson, 2010, p. 206). Similarly, in the second heading, i.e. the relationship between 'civilization' and 'order' in the international system, there are two approaches. Each approach offers a different reading of civilization, and this causes a difference in the analytical output. The first approach is essentialist and considers civilization as a situation, and the second approach is a processual reading of civilization. The result of the essentialist approach is impossibility of interaction between the civilizations and other agents influenced by civilization as well as an increase in the level of struggle and severe divergence caused by the anarchic situation in the international system; and the result of the second approach is the possibility of interaction among the civilizations considering the real space among them and the existence of the capacity of convergence (See Murden, S. 2005, pp. 1026-1027; Hobson, 2007, pp. 16-17).

In the present study, the focus is on the following question: "what formation of order in the Islamic world does the civilizational analysis offer?" to answer this question, various formations of order realized in the Islamic world and ideas presented for going beyond disorder and towards the stable order are revisited and then, based on the principles taken (civilization as a process), the nature of order in the Islamic world is analyzed. Rereading the issue of 'order' in the Islamic world with a civilization-centered approach is done according to parameters such as "perception of the surrounding milieu", "processual comprehension of civilization and civilizational order in the Islamic world", and "models of order and civilizational order in the Islamic world".

1. The level of civilizational analysis and perception of surrounding milieu

In humanities, there is a tight relationship between external realities and

different branches of humanities. Along with discovery of every phenomenon in the social world, there appears an evolution in humanities as well. This is because a part of the science's mission is basically solving the problems and overcoming the crises to reach the desired order and condition (see Spragens, 1976). There is no difference between empirical sciences and humanities in this regard. In the discipline of the international politics as a branch of social sciences, these vicissitudes and evolutions in social world has caused the emergence of various theories and various analytical levels. Two fundamental concepts in studies pertaining to international politics are the concept of 'order' and its perennial companion, 'anarchy'. Anarchy has been described as "the lack of dominating and regulatory faculty" in the international system. The actors' understanding of these two concepts forms their definition of the surrounding milieu, and influences the type of their action. In other words, the presumption in the international politics is that the way one perceives the international system (and its essential elements) influences the resulted knowledge. As a result, the whole science of international relations as the cognition output would be different. From the perspective of the realistic paradigm (Hans Morgenthau's classic realism, Kenneth Waltz's neo-realism, and Gideon Rose's neoclassic realism) the phenomenon of 'order' depends on the number of actors, great powers, and – indeed – on how the abilities and capacities are distributed or the type of the structure is formed. In this approach, the 'order' is more defined on the basis of the practical structure of security in the international system. On the other hand, the liberalism paradigm, the phenomenon of 'order', and the pattern of the interaction of the world after the cold war are dependent on the institutions, regimes, values and norms as well as the mutual dependence; and these factors are considered the main obstacle for war, the creator of order, and modifier of anarchy (Clark, 2005, p. 1417). Non-rationalist theories such as constructivism, criticism, etc. also emphasize the immaterial elements and the mutual strengthening of the elements, combining the elements and, finally, concocting order. Constructivists delineate three spheres of order: the first is "systemic sphere", with Alexander Wendt as the

most prominent figure in this approach. In this sphere, the interactions among state activists are considered and the focus is on the international milieu. The second is the unit level whose main attention is to the factors such as social and legal norms, and the states' identities and interests. Peter J. Katzenstein is the most important theorist of this approach. In that level, the internal factors determining the national policies are considered. The third sphere is holism, which is the reconciliation between the two former spheres. That is, both the domestic affair and the international affair are dealt with as the two figures of one single social and political order. The main concern of the holists is the dynamisms of the global change (Reus, 2013, p. 290). The third level is identical with the level of civilizational analysis and civilizational state.

One of the important questions in this research sphere is how the level of civilizational analysis affects the interpretation of oneself (the actor) and the surrounding milieu (the international system). For instance, if the actor regards itself a nation-state and also regards the main activists in the international politics as nation-states, the actor's interpretation of content concepts such as anarchy order, cooperation, opposition and the like would be different and, as a result, its type of activity would be similar to that of other nation-states. Thus, there is a linear relationship between the type of the actor and the type of behavior. When the actors of the international system are nation-states, the order based on the balance of power and other traditional models would be its output. Cox conducted a process investigation and reach from the type of production to the form of the state, and from the form of the state to the world order. He maintains that it is from the focus on the change in state forms that the changes in production relations and the changes in the structures of world order arise; and in this way, we are led to discovering the relationship between changes in the state forms and changes in the structures of the world order (Cox, 1987, p. 108). This analytical approach deals with the foundations of changes of the state, and is able to reveal some deep layers of analysis and discovery of variables effective on formation of the state and setting its foreign policy.

Understanding the order in the international politics can be considered as dependent on identifying the phenomena effective in creating order and the type of its reading. Identifying and introducing any phenomenon and presenting any interpretation of it will have a direct effect on the type of organizing order in the international politics. This theoretical organization will be effective on determining the inputs of the activists into the milieu of the international system (the formation of the international politics) as well as taking from the outputs of this milieu; and finally, if the feedbacks are positive, it will cause the repetition of behaviors and continuation of foreign policy. Therefore, just as the form of production and development is effective in structure of the state, the civilization as a fundamental variable can affect the structure of a state, interpretation of the surrounding milieu and, finally, the structure of the world order.

2. The Processual understanding of civilization and the nature of order in the Islamic world

The first discussion in understanding the process of civilization is that the processual understanding of civilization – as opposed to understanding civilization as a situation¹ – poses the following question in analyzing 'order' in the international politics and the order in the Islamic world: "Can one predict the future of the world order or the order in a certain region such as the Islamic world or the Middle East by considering the world history or the history of the Islamic world?" In other words, "Can one extract the pattern of ordering from the formation of the past order?" That is, "What image of the nature and condition of order in the Islamic world is presented when we investigate the Islamic world using the civilization approach?" William McGaughey poses these questions on the prediction in the Islamic world and offers the theory that what is obtained from the historical investigation of the orders governing the history of the international relations is the existence of

1. In that approach, any civilization has a fixed and monolithic essence and, consequently, enjoys parameters and features that are static and immutable (Hobson, 2007, p. 15).

two elements of "relational technology" and "the presence of the dominating institution". The relational technology creates the international and trans-national relations and causes an increase in the level of mutual dependence among the countries, which is among the most important elements of order in the contemporary world (Clark, 2005, pp. 1414-1415). Thus, in order to see a civilizational order, we must reveal two civilizational features completely: first, development of, or better say, overcoming on the basis of relational technology and, second, having access to one (or more) dominant institution (see: McGaughey, 2007) which may occur in the form of a hegemonic state, an empire, on the basis of unity and agreement among nations according to the doctrine of balance of power, or with the birth of 'guarded lands' (*mamālik maḥrūsa*) like those under Ottomans, Safawids, Gūrkanīs, or on the basis of the existence of a widespread Islamic civilization like what we observed from the early Islamic era up to the end of the Abbasid period.

Another discussion in this regard pertains to the following questions: "how is 'order' achieved in the international politics? Is 'order' in the international politics a monolithic and complete order or one based on the minor and numerous systems which form a single order together?" If 'order' is based on numerous systems, it is called the international order; if the 'order' is created in a monolithic form, it is called the world order. In Clark's words (2005, p. 1416), in the contemporary age, we must distinguish between two concepts. One is the international order and the other is the world order, because the latter phenomenon has affected the lives and wishes of all human beings. According to each of these concepts, the relationship between the variables (activists such as state, investigating the historical track of order, and its effect on the future order, etc.) and the 'order' is investigated. In this study, our presumption is that we are not faced with the static aspect of the history and cannot reject the possibility of revival of civilization even in the global age. Civilizations are pioneer units and harbingers of the dynamism of history. Thus, one can say that the usage of the concept of civilization – in its singular form (that is one single civilization for the whole biosphere) – was not realized, and non-decline of other civilizations as well

as revival of civilizations in the global age is a vivid sign of this fact. At the present time, all existing forces in the contemporary world including the India, China, Iran, Malaysia, Turkey, and the like participate in the construction of history, and the theories such as "the end of history" and "clash of civilizations" have lost their originality (Davutoğlu, 2014, p. ix – x). This view of civilization is called post-fundamental approach or processual approach to civilization. Thus, according to our processual approach inside the Islamic world, we will observe the emergence of civilizational sub-discourses (in relationship to the Islamic world), each of which will play a regulatory role in organizing the civilizational order in the Islamic world.

3. The models of 'order' in the Islamic world and delineation of the civilizational order

Entering the discussion of civilizational order in the Islamic world is important because just as the existing order in the Islamic world or in the Middle East is the result of the orientations of the regulatory agents of the foreign policy, the future order of the Islamic world will be also the result of the numerous activities of the existing major regional actors. The reason for the difference in the way 'order' is created in various eras is due to regulating agents, because 'order' is dependent on the way the actors are placed together, and it is the system-making actors that create the order. That is, each era has its own order. The effort to understand the civilizational order in the Islamic world is an effort to understand the existing active foreign policies that lead to 'order'.

Regarding the 'order' in the Islamic world, various models have been mentioned. Two of them are the model of "creating order by the forces and actors of the external or trans-regional milieu" and "creating order through the actors in the domestic milieu". In the former model, order is created by entrance of the great or trans-regional powers or hegemony, which can be divided into hosting and invasion forms. That is, the Islamic countries may, due to weakness, request the presence of external powers in the Islamic world or various regions, like what happened for USA in the Middle East

and the regional powers such as Saudi Arabia are the facilitators and host of that presence. And in the latter case, the presence may be based on the invasion, like the presence of the Portuguese, British and Russian – or even USA – forces in Afghanistan and Iraq. In the second model, i.e. creating order through the actors regulating the domestic arena, three images can be offered: "the theory of Islamic Vestfalia", "the emergence of nation-states with great power or regional hegemony", and finally, "the emergence of civilizational state". These three approaches have evidences which are discussed in the following sections.

The order of the Islamic Vestfalia

The first approach can be called the Islamic Vestfalia approach. This approach is clearly a modeling from the Vestfalia of 1648 AD. Considering the treaty concluded between the European Catholics and Protestants at the end of the thirty-year religious war (1618-1648 AD) (Kennedy, 1987, p. 74), the Vestfalian reading knows the reason of disorder and anarchy to be the religious disagreements and struggles which has caused very high tensions in various regions of the Islamic world such as Middle East, and believes that by accepting pluralism and moving towards it, the problem of disorder decreases. This is because disorder has its roots in cosmological security and starts from the issues related to identity such as ideological issues and reveals itself in geo-politic, geo-economic and similar issues. The most important effect of Vestfalian hypothesis on the position of religion in the international relations was that it regarded religion as a threat and gave a security dimension to it. That is, according to the Vestfalia hypothesis, like modernization hypothesis, religion was regarded as a final threat for the European order, civilization and security (Thomas, 2005, p. 55). In this approach, secular (political pluralism) is introduced as the best prescription for reduction of the existing tensions in the Islamic world, and it promotes some form of the Islamic secularism, because the logic of power and superiority in the struggle does not lead to the necessary conclusion in the face of ideological forces who fight on the basis of faith. In other words, merely the

confrontation and hindering the phenomenon creating disorder is not enough. Rather, the phenomena such as the jihad movements (al-Qā'ida, ISIS, etc.) must be managed in a way that lose their crisis-creating nature and the possibility of their return becomes minimum. The foreign policy of the countries in the region is, in such a condition, the maximum interaction and the tensions become minimum, because there is no religious state supporting a riotous phenomenon. Vestfalia substituted political realism and the secular model of rational state as the main model of statesmanship for religion as the basis of foreign policy. The main feature of the Vestfalia treaty was recognized as the norm of non-interference policy in the international relations. Both Augsburg's peace and – a century later – Vestfalia treaty accepted the idea that the ruler must determine the religion of his territory, and considered religious tolerance and non-interference in religious matters in the domestic affairs of other states – or in other words, the very religious plurality among the states – as one of the main models in the modern international order (Naqībzāda, 1384 SH, pp. 10-13). In other words, it was Vestfalia treaty that determined the role and functions of religion in the international relations and domestic policies. In confirming this, Elizabeth Shakman Hurd maintains that what came out of Vestfalia treaty was Laicism, which is beyond secularism. Laicism as the product of Vestfalia introduces itself as the global discourse, which is a solution for religious wars (Shakman Hurd, 2004, p. 77).

The order of great Islamic powers

The second approach to order in the Islamic world or its various regions is through the emergence of the regulating agents with capacity to make order in the level of great or global powers. In that approach, the regional order is made through regional powers which have a quasi-empire nature (See Waltz Kenneth, 2012; Kissinger, 2016). In this theory, the regional order is obtained from the balance of the domestic powers in the region and, with access of various countries of the region to the highest level of military regulating power – such as accessing to nuclear power or very broad military power –

the regional order comes to a stable situation. For instance, with the access of countries such as Iran, Saudi Arabia, Israel, and the like to nuclear bomb, the regional balance may be created. Proliferation of this model in the whole Islamic world would cause maximum control over the riotous factors, like what has happened between India and Pakistan. On the other hand, these powerful national countries would enjoy high capacity of confronting jihad movements in the Islamic world, and this would cause these groups to transfer out of the Islamic world or become neutral and passive. This is because most jihad groups start insecurity and riot from those countries wherein weak governments rule, with no ability to provide security for themselves and the region. That is, in this situation, negative parameters are in the maximum state. By uniting with regulating states, the weak states would have the ability to establish security in their domestic milieu. The foreign policy of such a state is quite interventional, militaristic, and based on controlling the center of riot. This model can be found in 1320s to 1350s SH in the Middle East and some other regions like North Africa. Muhammad Reza Shah's presence in struggles such as Zūfār Battle in Oman and his effort for controlling his surroundings is analyzable in this very model. The proposition of the everlasting state had such a function about the Ottoman Empire that led to underestimation of its main rival, i.e. the West, and consequently non-recognition of the western evolutions and its domestic dynamism. The result of this was the dismemberment of the Ottoman Empire and its defeat against the West (Davutoğlu, 2014, pp. ix- x). Thus, the order based on the presence of great powers was restricted to the military-security power, and the issues of the cultural and economic spheres were considered as second-hand issues.

Civilizational order

The third approach for creating order in the Islamic world and various regions is the emergence of "civilizational states". Post-fundamentalist approach and processual approach, unlike the fundamental approach which reduces civilization to the concept of empire, considers a longitudinal

relationship based on the hierarchal order between them. That is, it considers civilization as union in relational concept or as the guarded lands in the Islamic vocabulary (Tawakkulī, 1377 SH, pp. 1-3). In this approach, numerous civilizations are beside one another, and the idea of numerous guides is acknowledged in proportion to the number of active civilizations. As Cox acknowledges, we see in line with civilizational ideas the emergence of various civilizational states in a civilizational scope like the Islamic world. In this situation, there is authority, but there is no autism and individualism, so that we will see the existence of a staircase or ladder order. This situation causes the 'sovereignty' to become the special feature of a "non-empire" community, in which case sovereignty goes beyond the realm of the sovereign states (Nexon, 2007, p. 113; Best, 2007, p. 182). As Jacqueline Best says, the pluralistic and universal approaches have mutual effects on one another, and if we are seeking to promote a pluralistic political concept of civilization, we must take serious the relationship between the universal criteria and the special criteria of that civilization (Best, 2007, p. 182).

The civilizational order is neither an anarchic situation nor a hierarchal order enjoying a general centrality; rather, the civilizational order is an intermediary order. That is, the civilizations enjoy numerous hierarchies inside themselves. In other words, civilizations are in midway between the anarchic situation and the hierarchal situation. As Davutoğlu (2014, p. xi) maintains, "in investigating the world order, we may mention two models of civilizational order: one is the civilizational hegemony and the other is pluralistic civilizational interaction". In the pluralistic model, subjects such as order and anarchy – which are among the most important concepts in the international relations – are analyzed differently. Any civilization, in view of its capabilities in the global civilizational system, has the capacity to act in the milieu resulted from the civilizational order; but these capabilities do not return just to being a civilization; rather, any civilization can play a role in proportion to its civilizational power, and this is true both in the domestic area and in global sphere. In this interpretation, we will have civilizations such as Chinese, Iranian Islamic, Turkish Islamic, Malay Islamic, etc. all of

which – while preserving their identity and enjoying an identity independent from the modern western civilization – will form according to their guiding and central idea, participating in establishing order and modifying anarchy.

In the studies pertaining to international relations, one of the most important goals is reduction of anarchy plagues, for which many solutions are offered. In the situation of civilizational order, the anarchy plagues are reduced and they are somehow modified. One example is the period of struggle between Sekigahara empires up to the reestablishment of Meijin in Japan (Hall and Jackson, 2007, pp. 7-8). Considering the pluralities in civilization as well as an intermediary order (between the anarchic situation and hierarchal situation), the borderlines between civilizations are seen inconspicuous. That is, one cannot set a precise and definite borderline between one civilization and another, and there is a blending among civilization in social, economic and cultural aspects. Unlike the essentialists' view, the civilizations are never placed in abandoned islands separated from one another; rather, all civilizations and the related processes are always in interaction with one another (Hall and Jackson, 2007, p. 7). This capacity modifies the lack of dominant powers and the anarchic situation of the international order. Besides, another mechanism that helps the states to manage a modification of anarchy is the fact that civilizational states, unlike great powers that merely emphasize the security or economic control, have the possibility of active presence in cultural, political, social, military dimensions simultaneously (See Nowrūzī Fīrūz, 1398 SH), and are able to create a defined jurisdiction and sphere of influence (Collins, 2007, pp. 132-147). This type of order in the periods of Şafawīds, Ottomans and Gūrkanīs in the Islamic world, as the observable historical examples and by modifying the deficiencies and adjusting them with the new world, can be used in the contemporary period as well. In this regulating situation, there are both the hardware state and the cultural and software state; and the interaction among the civilizational states begins from the starting point of the cultural elements such as language in a variety of ways (See Nowrūzī and Khātāmī-niyā, 1399 SH). For instance, the present government of the Saudi Arabia cannot be a

civilizational state, because its biggest share is in economic-military power which attempts to create the regional order by relying on foreign powers outside the region. The cultural product of the Saudi Arabia in the region and in the Islamic world is too much limited, while this procedure is in inverse position in countries such as Turkey, Iran, Malaysia, etc. (See Al-Aidrus, 2009). Most of those countries claim having a civilizational state. When getting away from the West (other entities) emerges in various levels, we must necessarily look for signs of it in politics which starts from making the state and spreads out to foreign policy. As we previously mentioned in the theoretical discussions, civilizations are initially produced or reproduced by the guiding idea, and then create institutions. These institutions produce products through which the civilizational communication is narrowed or expanded. In the sphere of politics, this idea is referred to as the way of producing and reproducing power. In that process, the civilizational state recognizes the sources of producing its power. These sources are institutionalized and the methods for using them are specified and the goals are determined. Thus, bafflement in orientations and activities decreases. In that situation, the foreign policy of such a country will be in multi-dimensional states. The ability for cultural confrontation along with the ability for economic, military and political confrontations for managing a crisis or a disordering and righteous phenomenon in the Islamic world or the region comes to the maximum condition. And therefore, the civilization state would have the possibility to act in a multiple ways. It is in multiple-action situation that the difference between the civilizational state and the national state is revealed. In the civilizational order, unlike Vestfalian order or the order based on the great powers, the civilizational state enjoys more breadth of variables and indices and the communication channels (communication technology) as well as functional channels. This is because the civilizational state is not merely restricted to its legal function; rather, it enjoys value and cultural functions as well (See Xia, 2013). As for the foreign policy, the situation is such that the civilizational state – in addition to the economic and security presence in the surrounding area – has the agendum of cultural

presence in the realm of trans-border civilizational credit. For the civilizational state, unlike the national state, any trans-border presence for achieving national interests becomes important without considering its preliminaries – i.e. the existence of necessary sources in the realm of the strategic depth, with its achievements more than its costs. Considering the historical experience, in the Islamic world it seems that the civilizational actors are regarded as the favorite model for making order, because the civilizational state is a pluralistic actor; indeed, it is pluralistic inside the country and is moving towards joining to various pluralities in the international sphere; thus, it can properly combine the hard and soft powers and enjoy this privilege (See Katzenstein, 2010). As an example, the civilizational states have several religions, languages, cultures, races, ethnicities and the like inside themselves. As for the language of the civilizational state, for instance, just the juxtaposition of numerous languages is not the matter; rather, the civilizational society can use several languages simultaneously, and enjoy the merits of each at a desired level. Consider Iran under the Şafawids, Ottomans, and Gürkânîs as a very proper example wherein the Farsi, Arabic and Turkish were used simultaneously, and each of them would cover a different thematic sphere (See Nowrūzî and Khâtamî-niyā, 1399 SH).

In view of the internal plurality of the civilizations and their being pluralistic, the civilizational states enjoy the sufficient capability for reconstructing their cities as well as the global government. This discussion is proposed because one of the important subjects in the studies on the relationship between civilization and order is the role of multicultural reconstruction of cities and the participatory global state. The basic question in this regard is how civilization participates in the cultural order. Considering the aforementioned discussions, one can state that civilization helps the creation of order by making the cities multicultural and making the global state a participatory one. The multicultural structure of cities is a small sample of the multicultural structure of the world made by civilizations (Davutoğlu, 2014, p. 19). One of the samples that can be used historically and in the contemporary time for explaining this fact is language. The multicultural

cities and civilizational territories in the historical experience of the Islamic civilization can be one of its prominent examples. Thus, the civilizational order in the Islamic world is formed by the civilizational states, which seem to be – in the present time – a better form of order in comparison to the experienced samples, i.e. the national states of the Vestfalian type and the great powers, and it seems to have the possibility of reducing the plagues of anarchy and restricting the factors of upheaval.

Conclusion

The entrance of civilization into the international politics is followed by the theoretical and conceptual evolution as well as a change in analysis of the international relations. In the present study, we have focused on the discussion of "order" in the international politics. We reviewed the explanation and analysis of the nature of order in the international politics from the civilizational perspective. The findings of the study are based on the scientific proposition that unlike what Huntington has conceived, the order in the international politics – at least in some of the regions such as the Islamic world – is a civilizational order; and war in the international politics is not a civilizational war. This is because civilizations are pluralistic, and order is created on the basis of regulation, not insecurity and anarchy. The civilizational state enjoys the highest capacity for controlling the negative effects of anarchy. Thus, for the civilizational state, anarchy does not require pursuit of survival and security; rather, it is an opportunity for interaction. Besides, as for the Islamic world, what is acquired on the basis of theoretical discussions and studies is that there is no possibility of creating a monolithic order based on the nation. Even in the universe, there is no possibility of creating a global world, because "order", "peace" and "stability" in the Islamic world will be the product of the presence of Islamic civilizations (affected by the emergence of civilizational states). Any civilizational state will create a specific jurisdiction and prestige for itself and – in better wording – will control its surroundings. And since it is the major actor and the regulator of "civilization" appeared in the form of civilizational state, war

among such states is not a primary principle. Therefore, considering the fact that civilization is a process and, if formed, the primary situation among the civilizations is not war – or, at least, there is no essential leaning towards war or peace – the best option for resolving the issues in the Islamic world is going beyond the theory of Islamic Vestfalia and moving towards the Islamic civilizations and/ or civilizational states.

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Research Article

**The People and the Government in the
Contemporary Shiite Political Jurisprudence
(Constitutional Period)¹**

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Abstract

The Shiite political jurisprudence in the Constitutional Period was much bold. Ākhūnd Khurāsānī and his pupils were among the most prominent jurists – in the Constitutional period – who had many innovations in the constitutionalist thought. One of the great achievements of these jurists in the political arena is the relationship between people and the government. These jurists had, in their temporal conditions as the representatives of the great Shiite tradition, an important role in modernism of the Iranians. They did not stop in the past doctrines; rather, they used the political and social ordinances of the Shiite jurisprudence; and using the capacities of legal reasoning according to the conditions of time, place and demands of the time, they opened a new chapter in the Iranian and Islamic thoughts. Before the Constitutional period, people

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had mainly no right in the government, but there appeared a change in the discussions. The great Shiite scholars could highlight the people's status in the government by scrutiny and using the Islamic doctrines. Ākhūnd Khurāsānī and his co-thinkers, Mīrzā Nāʾīnī and Sheikh Ismāʾīl Maḥallātī, used new criteria in classification of governments, and opened way for people's participation.

Key words

Ākhūn Khurāsānī, Nāʾīnī, Maḥallātī, classification of governments, Constitutionalism.

Introduction

Constitutional movement was the prelude to Iranians' Islamic awakening, legal modernism and formation of the modern government. This revolution occurred under the influence of numerous factors such as economic factors, political despotism, thinkers' opinions, and numerous other factors (Ādamiyyat, 1355 SH; Ḥāʾirī, 1392 SH; Jūdānī, 1382 SH). Among the theoretical speculations of the thinkers of that period, the jurists – because of more familiarity with the traditional concepts of Iran and Islam than the other thinkers – could in many cases create a rupture in some of the concepts compared to previous ones. Generally in the writings under Qajars and before, people had no role in establishing the government, and they were just expected to obey the orders. The ruler was also given pieces of advice – in the form of letters of advice – to behave people with respect (See Yāwarī, 1397 SH; Murādī Ṭādī, 1397 SH). However, in the Qajar period – especially the end of it – there was a change and people were no longer obedient citizens and many of the writers in that period would refer to people's status and role in various spheres.

One of the aspects of referring to people and their rights was their role in the government and establishing it, which appeared in the writings of that period. Among the constitutionalist jurists, Ākhūnd Khurāsānī – in his letters, telegraphs and correspondences with people – would inform people of their rights. He considered Constitutional state as a government whose power was 'limited', and regarded limitation of power possible through elements such as law and people's interference (Mīr-Aḥmadī, 1390 SH, p.116). Nāʾīnī and Maḥallātī, like their master, stated valuable points about the

people's role in the government and the relationship between them. This group of scholars had clearly found that in view of society's demands and the evolutions emerged in human's social life, the religion and denominations must consider the newly-emerged issues – emerged because of the evolution in human's life – in their scientific methods and their inferences and legal reasoning, if they are to preserve their previous superior position among people. The importance of the works done by this group of scholars is that they – in addition to informing people – did their best to offer reasonable and understandable answers to the opponents' doubts inside the Shiite intellectual system, without opposing the Shiite principles and tenets; and this is an adorable effort. Although these scholars' logic and mentality would not allow propounding many of issues, they could contemplate on those concepts amid the intellectual and historical traditions and, as the starting point, create an important evolution, opening the door of modernism to future people (Murādkhānī, 1396 SH, p. 14). In other words, many of the innovations of the later generations are rooted in these precise contemplations.

Since, in the modern age, one of the important foundations of the government is people's consent, these jurists' opinions regarding people's role in the government can create much capacities in Iranians' modern thinking; and in this study, we have attempted to adduce the works of these prominent jurists to show how they opened the way for people's role in establishing the government – an idea whose expansion could have led to theory of people's ruling.

1. Government and its various types

Classification of governments is an old tradition among great thinkers of the world. Initially, they have classified governments into various types, and then defended their favorite government. Aristotle, Plato, Montesquieu and many others have done so. In the Islamic thinking, little has been said of types of government. Shiites, for instance, the existing governments would be regarded oppressive and usurper; or they have spoken of oppressive and

just sultans. People had no role in establishing those governments, because the foundation of establishing the government was regarded to be somewhere else. Under the Qajars, for the first time, discussions about the types of government were proposed in new writings in the political treatises of the Qajar period, and those classifications were an introduction to justifying the Constitutional state. Mīrzā Malkam Khan, as one of the first of these individuals, writes in *Dafter Tanzīmāt* or *Kitābchi Gheibī*: "Government means the system that becomes the source of order and prohibition" (Malkam Khān, 1388 SH, pp. 31-32), then he introduces the topic of 'law' for distinguishing various types of government. He regards enacting and enforcing the laws as the basis of types of government, and maintains if the authority to enact laws and enforce them is separate, and enacting laws is up to the nation and enforcing them is up to the government, then the government is called 'moderate sultanate', like Britain and France; but if both of them are up to the government, it is called 'absolute sultanate' which is of two types: the 'ordered absolute sultanate' like Russia and Ottoman, and the 'non-ordered absolute sultanate' like Iran. In *Minhāj al- Ulā*, Abū Ṭālib Bihbahānī has the same idea. According to him, the order, progress and advancement of the government and nation depend on the separation between these two authorities (enacting and enforcing the laws). That is, the best government for him is the 'moderate' one. However, he believes that to create a moderate sultanate in Iran is not possible now, and it is better for Iran to go towards the 'ordered absolute sultanate', because in that type of government, although the king has the two authorities, he delegates them to two parliaments (which do not interfere in each other's tasks); but in the 'non-ordered absolute sultanate', these two authorities are mixed, and the government in such countries is despotic or oppressive, which – he maintains – is not stable (Bihbahānī, 1395 SH, pp. 170-172). Mīrzā Abdul-Raḥīm Khān Talibov also divides sultanate into absolute and constitutional, and writes the absolute sultanate is of two types. In the first type, the king enacts the law and nobody is allowed to interfere, like old Russia and Ottoman. In the second type, the king writes

no laws for administering the country; rather, he behaves like old times. This is the case in Iran, Afghanistan and Saudi Arabia. He considers both types as oppressive and opposed to the other type which is constitutional government (Talibov, 1356, p. 195).

In spite of the intellectuals' nicety regarding types of government, they have ignored people's role in these governments; and since their goal has been legalism and creation of limited and constitutional sultanate, they have regarded the 'law' as the basis in their classifications, which they have used for classifying the government. This, however, leads to people's role in the next steps, because people will play role in enacting laws. However, the intellectual's statement remains in that level.

2. Ākhūnd Khurāsānī and people's prominent role in the government

Ākhūnd Khurāsānī was one of the three great religious authorities (*marja' taqlīds*) supporting constitutionalism. He was the most prominent *mujtahid* (literally 'diligent'; religious expert) in the Constitutional period, who had many innovations in political jurisprudence. The position of Najaf scholars regarding constitutionalism, whose general director was Ākhūnd Mullā Muhammad Kāzīm Khurāsānī according to Yaḥyā Dowlatābādī (*Kifā'ī*, vol. 3, p. 158), was based on a special jurisprudential interpretation. These views can be found in Ākhūnd's enactment, telegraphs, correspondence, and announcements. Ākhūnd's jurisprudential arguments can be understood in the form of logical syllogisms whose minor proposition is "Constitutionalism causes removal of oppression and protecting Islam..." and its major proposition is "anything that leads to removal of oppression and protecting Islam is obligatory". From these two premises, we conclude that "Constitutionalism is obligatory" (*Mīrahmadī*, 1392 SH, p. 195). Ākhūnd Khurāsānī believes that "Constitutionalism is a state wherein power is limited, and power limitation is undoubtedly possible by the interference of law and people's interference and presence" (*Mīrahmadī*, 1390 SH, p. 11). One of the great achievements of his new thoughts in the political sphere is the people's rights

and their relationship with the government. He has offered novel opinions regarding the people's ruling, and gets help from the jurisprudence and principles of jurisprudence to state these new concepts, and also inserts jurisprudential-legal contracts into the government and political issues.

Ākhūnd Khurāsānī divides government into legitimate and illegitimate types, and believes that only an Infallible person's government can be legitimate and that governments whose ruling is at the hands of a non-infallible person are illegitimate. He also divides illegitimate sultanate into two types: (1) the just sultanate like constitutional state wherein overseers of the affairs are the wise and pious people; and (2) the oppressive and despotic sultanate wherein the absolute ruler is one despotic person (Thubūt, 1395, p. 21; Khurāsānī, 1387 SH, p. 214). Ākhūnd believes that in the legitimate government, the ruler is appointed by Almighty God; and by legitimate government, he means that type of government that is realized just for the Infallibles (Khurāsānī, 1387 SH, p. 207). Therefore, he regards the governments in the Occultation period as illegitimate ones. It is noteworthy that here the 'legitimacy' means religious permit, not its common sense in the politics based on the public or majority's acceptance. After specifying these two types of government, Ākhūnd proclaims that "according to the reason's explicit judgment and religious texts", the illegitimate just sultanate is prior to the despotic illegitimate sultanate, and states it by adducing the jurisprudential rule of "necessity of rejecting the more corrupt with the corrupt" (*daf' al-afsad bil-fāsid*) (Khurāsānī, 1387 SH, p. 214).

The important point in these statements about the types of government is paying heed to people, and its criterion is people's role, which is unique among the writers of that era. In the just government, people play their roles in affairs; and in the oppressive government, people play no role and there is just one who is responsible for all affairs. Besides, Ākhūnd considers people as the "God's deposits" and maintains that they have been deposited to Islam's sultan (Khurāsānī, 1387 SH, p. 158). These novel statements are of great importance from the viewpoint of the history of thought in Iran. In the Shiite

jurisprudence, the depositor (*mūdi*) can give something to someone (*mustawdi*), and if the trustee encroaches on or betrays in the property trusted, he is responsible and legally liable and is deposed, and even receives a discretionary punishment. Ākhūnd does not stop here and goes further. In a very important letter to the scholars in the "guarded lands", he explains his view about the people's role and writes: "in the guarded lands, people are owners of country's affairs principally and deservingly, and the reality of choosing a council is relegating this ownership to representatives and giving absolute governance to them for a specified timespan for all affairs" (Khurāsānī, 1387 SH, p. 288). In the previous expression, Ākhūnd considers people as God's deposits, but here he says: "people are the owners of the country's affairs, and they are the ones who have deposited their property to the ruler. Thus, the ruler has two custodial relationships: first, before God whose property is people, and second before people whose properties are the country's affairs." That he uses the concept of ownership to explain this relationship is clearly a separation from the previous scholars' thought. More clearly, according to him, people are owners of the country's affairs principally and deservingly, and relegate it to anyone they want. The concept of ownership in the Shiite thought is very broad, and the owner has freedom to manage or even destroy the property. In principle, since the Shiite jurisprudence was not rich in public law, the constitutionalist jurists used the concepts of private law for conceiving the concepts of public law (See Murādkhānī, 1397 SH). That Ākhūnd regards the country's affairs in the realm of people's ownership – deposited accordingly and on the basis of their latitude – is one of the brilliant points in his thought. According to this very thought, he has the following well-known statement: "It is a necessary point in the denomination that Muslim government in the Occultation period is up to Muslim people" (Khurāsānī, 1387 SH, p. 204). That is, people dominate their own affairs and decide for their own fate. Putting people's governance beside the other necessary items of denomination (like prayer, fasting, hajj, zakat, etc.) shows the high importance of people's role in the government for Ākhūnd

Khurāsānī. He regards any government not receiving its permission of qualification from people in the modern age as illegitimate. Similarly, he maintains that by restricting the sultanate's power and reviving people's rights and freedoms, one can preclude many corruptions, oppressions and the foreigners' dominance over the Islamic countries. Accordingly, he stepped in the path of struggling and constitutionalism, and maintained that the best way to refresh the power and governing sultanate is the law and the parliament (Shīrkhānī and Ibrāhīmī, 1390 SH, p. 302). He believed that in the government, the ground must be prepared for progress and economic advancement of the country, preserving the political-economic independence of the country, negating the dominant relationship and promoting the social justice for all people.

Ākhūnd's respect for and attention to some of the institutions and concepts of constitutionalism, such as parliament, also originates from his attention to the concept of people and the abovementioned statements. He regards the National Legislative Parliament and its formation as 'the obligation of all people' and their rational and religious duty. In his view, the reason for the importance of the parliament in our age is due to people's attention and acceptance. And in a letter to people of Tabriz, he states people's role well as follows: "when all people have consensus on the formation of National Legislative Parliament, it is obligatory for all Muslims to agree and they are not permitted to disagree" (Thubūt, 1395 SH, p. 23). As we mentioned before, he highlights people's role in the Occultation period and returns to this point in discussing about the National Parliament; and in a letter regarding people's obligation and its relationship with the National Parliament in the period of 'minor dictatorship' writes: "the conventional issues and *hisbiya* affairs¹ in the Occultation period is deposited to the Muslim wise men and trusted believers, and its instance is the very establishment of the great council which was forcibly closed by the

1. Benevolent actions which require a qualified jurist or his representative./ translator

oppression of the rebels and agitators. Today, it is definite obligation for all Muslims to attempt to establish and revive the council, and ignoring or disobeying this order is as escaping jihad and among the major sins" (Khurāsānī, 1387 SH, p. 215). He considered the National Parliament as "the link between the government and the nation", and maintained that "It is obligatory for all Muslims to agree with and support the parliament whose aim is removing the oppression, promoting religious laws and protecting Islam" (Khurāsānī, 1387 SH, p. 167). For him, the parliament whose "establishment is for removing oppression and helping the oppressed and the anxious people as well as enjoining good and forbidding evil, reinforcing the nation and the government, relieving people and protecting Islam is definitely, rationally, legally and conventionally obligatory. The opponents are opposing the radiant religion and confronting the *Sharī'a* of Islam." Similarly in the discussion on parliament, Ākhūnd considers people's carefulness in choosing their representatives – as righteous person in their belief and persuasion – even more important than their carefulness in the justice of the imam of congregational prayer, and refers to the fact that the result of any good and evil for the jurisdictions and opinions issues from the National Parliament, is rooted in the good or bad election, and the people are responsible for it (Khurāsānī, 1387 SH, p. 289).

Ākhūnd Khurāsānī regards people's opinions valuable to the extent that he extends their votes to choosing the jurists of the amendment to the second article of the law. He specifies three necessary conditions (ability to legal reasoning, justice, and awareness of the demands of the time) for the five-member board supervising the laws enacted in the Legislative Parliament, which they must enjoy along with the "public acceptance". Enjoying public acceptance shows his attention to people and their opinion to the effect that merely the ability to legal reasoning and justice are not enough for the jurists supervising the parliament; rather their acceptance for the people – who are the real owners of the government – is among the other conditions of those individuals. Even in introducing the jurists – as supervisors – to the parliament, Ākhūnd Khurāsānī did not appoint or nominate individuals

through his personal discretion and did not impose them on others, with no freedom or right for people. Not only did he consult with the scholars in the guarded lands for suggesting those supervisor jurists, he even relegated choosing them to the representatives of the Legislative Parliament (Thubūt, 1395 SH, p. 29).

3. People's participation in government in Mīrzā Nā'īnī's thought

In the initial pages of *Tanbīh al-Ummāa wa Tanzīh al-Milla*, Muhammad Hussein Gharawī Nā'īnī explains the obligation of establishing the government. Nā'īnī considers preserving order, security and justice as obligatory both from the rational perspective and from religious viewpoint, and maintains that the best means for achieving this goal is establishing a government ('Amīd Zanjānī, 1379 SH, p. 279). Therefore, establishing the government is obligatory due to its being prerequisite for an obligatory thing. He believes that the government must be based on traditions and history of any people, and lack of such a government leads to the decline of those people. He says ironically that "necessarily, it is clear that protecting the honor, independence and identity of a nation – whether on the religious privileges or the patriotic ones – depends on rising of the government of their own; otherwise, their point of privilege and the great reputation of their religion, denomination, honor, and independence of their homeland would vanish, although they may have achieved high levels of wealth, prosperity and progress" (Nā'īnī, 1390 SH, p. 416).

Mīrzā Nā'īnī divides governments into two types (the second of which he also divides into two types) and asserts that one cannot imagine a three form. Those two types are *tamlīkiyya* (i.e. possessive) sultanate and *wilāyatiyya* (i.e. authoritative) sultanate. As to the former type, he says: "in this type of government, the ruler – like any of the owners regarding their properties – treats the country and the people as his own property and allows himself to do whatever he wishes to the lives, properties and reputation of the people, and regards the people as his own servants, or even animals, created for fulfilling his desires" (Nā'īnī, 1390 SH, p. 417). Nā'īnī considers the reason for

tamlīkiyya and despotic nature of this type the fact that in this type of sultanate, the ruler behaves people as his own properties. He uses the concept of ownership just like his master, but his point of departure is different from that of Ākhūnd Khurāsānī. Ākhūnd considers the government as a property in the possession of people, but Nāʾinī is a step behind his master in this regard, not believing in people's ownership relationship to the government. He emphasizes another issue and asserts that in *tamlīkiyya* government, the ruler sees people like properties at his disposal; and just as an owner has the right to do anything he wants with his properties, the ruler has the same belief. Accordingly, he calls the people in such governments 'captive', 'abject', and 'slave' and, even lower, he considers them as vegetables created just for fulfilling others' needs, with no independent right (Nāʾinī, 1390 SH, p. 418).

Nāʾinī calls the second type of government '*wilāyatiyya*'. *Wilāyat* has a deeply-rooted and rich meaning in the Shiite jurisprudence and was used – in that time – more in discussions pertaining to transactions. According to that discussion, if someone, due to some reasons, is in the state of being 'legally incompetent' or *maḥjūriyat* (such as a child whose father has died), his paternal grandfather takes over the responsibility for managing his financial properties. This grandfather is called 'forcible guardian' or *Walī Qahrī*. In other words, someone takes over the guardianship (*wilāya*) of another one. Nāʾinī considers two types for *wilāyatiyya* government. In his thought, the *wilāyatiyya* government whose basis is truth is the government of the Infallible Imam. He maintains that in a type of *wilāyatiyya* government over which the Infallible governs, the ruler's infallibility – as an internal factor – hinders the error and disobedience on the part of the governing system. In fact, this type of government is close to Ākhūnd's 'legitimate government'. In this type of government, people have no right to choose the Infallible as the ruler, because this is not accepted in the Shiite denomination; besides, they have no right to supervise him as a means for protecting him and his government against errors and disobedience. This, however, does not mean negating the free-choice and any political role of the people in the Infallible's

wilāyatiyya government; rather, people will have, in a certain mechanism, the legal right to participate in the political power. This is because in early Islam and under the Prophet's and Imam Ali's government, not only did people have the right to enjoin good and forbid evil and supervise the statesmen, they would be encouraged by those great leaders to use this right. In his ideal government, people are not possessed by statesmen; rather, they own rights (Waraī, 1382 SH, p. 46). These statements are theoretical with no practical effect, because Nāʾinī believes that in the major Occultation period of Imam Mahdi, establishment of the ideal type of government is impossible. Thus, in the existing conditions, people must seek to establish a government which – at least – is not based on despotism (Nūrī, 1382 SH, p. 33).

Since we have no access to such a government in the Occultation period, he goes to the second type of the *wilāyatiyya* government and says: "the reality of this type of sultanate is the authority over the enforcement of duties regarding preserving the order and the country; not ownership, but a typical trusteeship in using forces of the country not in line with one's passions, because the level of sultan's dominance is restricted to his authority over the aforementioned affairs and his seizure – whether right or wrong – is contingent upon not trespassing that limit. All members of the nation partake in sultan's financial and other rights to typical forces, their share is equal, and they are all responsible for caretaking not as owners, and they are like other members responsible for their safekeeping duty and will be reprimanded for any little transgression" (Nāʾinī, 1390 SH, p. 419).

Some important points are hidden in these statements. First is inserting the concept of *wilāya* (i.e. authority) in the government, not used by other constitutionalist jurists. He considers *wilāya* limited and regards its jurisdiction restricted to protecting the country and its order, not dominating people's lives, properties and reputation. Second is emphasizing that one cannot use the concept of ownership in explaining the government, because both people and the ruler are trustees and not owners. Here, Nāʾinī keeps away from his master Ākhūnd Khurāsānī and, unlike him, does not consider people – like sultan – owners of the government, but trustees of it. As mentioned before,

trusteeship is among the jurisprudential legal contracts with some effects, and Ākhūnd and Nāʾinī had reasons for using it. The third is referring to another jurisprudential contract, i.e. partnership and people's partaking in the government, which is an important point. According to that statement, people are partners of the ruler, and both have common responsibilities in this regard. According to Nāʾinī, the ruler does not have the unlimited right to government and must be subordinate to people's freedom and rights, and does not have right to regard the government among his personal properties. He maintains that in this type of government, people's external supervision over the non-infallible ruler can – to some extent – play the role of the Infallible Imam's internal supervision.

Nāʾinī, according to the Shiite thought, maintains that in the Occultation period, there is some sort of usurpation and oppression hidden in all governments. But when establishing such a type of government – i.e. the government of the Infallible – is not possible, the best type of government is constitutional government. Thus, he prefers constitutional sultanate to absolute sultanate, because there is just one 'usurpation' (usurping the Infallible Imam's political authority) in it; but in the despotic government, there are three 'usurpations' (i.e. usurping the divine government, usurping the Infallible Imam's government, and usurping people's government) (Nāʾinī, 1390 SH, p. 437). Therefore, according to the rule of "rejecting the more corrupt with the corrupt", he proclaims that *wilāyatiyya* sultanate is legitimate out of necessity. That is, despite the fact that the government itself is usurped, it is superior to despotic government, and is accordingly legitimate. In other words, since the government is usurped, the rulers must not be allowed to do despotic and oppressive actions; and this type of government with people's participation is preferred to other forms of government wherein enforcing the ruler's power is contingent upon not violating the limits; and it is preferred to despotic government, although it is usurped, because there is no double oppression in it, and the representatives chosen by people act against the interests of the despots, hindering their arbitrariness (Turābī, 1391 SH, p. 98).

In Nāʾinī's view, defending Islam against its enemies is an obligatory

action like saying prayer, but performing that obligation necessitates some preliminary arrangements which are considered the "prerequisite of obligation". The most important means for realizing that obligation – i.e. defending Islam – is the existence of a just government supported by people so that it can defend the Islamic Land with people's assistance. Such a government is not realized unless it is founded upon limiting the ruler's power; and the ruler's power is just restricted through law. Thus, it is necessary that the constitutional law is legislated in order to supervise the government's actions, and the 'parliament' is necessary for making that legal supervision and direction possible. Accordingly, in Nāʿīnī's view, the constitutional law and the parliament are the prerequisites of obligation (Nāʿīnī, 1390 SH, p. 453). Thus, in a precise system, Nāʿīnī links the parliament and the constitutional law to the government wherein he had specified people's role. Nāʿīnī dealt with the formation of the parliament and legislating new laws for Iranian community when there was no precedent for his ideas, and the religious scholars believed that the main legislator is God and that the law is the very jurisprudential rules and religious ordinances written in the Book and the traditions, and there is no need to compose new laws apart from the religious laws (Haqqdār, 1384 SH, p. 184).

Nāʿīnī considers the despotic regime as baseless because it pays no attention to people's opinions and their participation in the country's affairs; and his emphasis on the constitutional government is due to people's participation in the country's affairs and adduces the Quranic verses "...and consult them in affairs" (the Quran, Āl ʿImrān, 135) and "...and whose affairs are a matter of counsel" (the Quran, Shūrā, 36) to state that the government wherein people do not partake causes destruction of freedom and increase in difficulties and people's hatred towards the government, which lead to the gradual collapse of the government. Indeed, Nāʿīnī maintains that if people are aware of and partake in the country's affairs, an undesired government would not gain power.

Nāʿīnī adduces Imam Ali's statement in sermon 216 of *Nahj al-Balāgha* regarding the mutual rights of the people and the ruler to infer some

important points:

"The greatest of these rights that Allah, the Glorified, has made obligatory is the right of the ruler over the ruled and the right of the ruled over the ruler. This is a [mutual] obligation which Allah, the Glorified, has set. He has made it the basis of their [mutual] affection, and an honor for their religion."

Among the points he infers are the following ones: "the nation must not have any fear of the government", "people must enjoy the right to consult and partake in administration of the country", and "the Prophet's way of life – as a model for Muslims' personal and social lives – was founded, despite enjoying the knowledge gained from the divine revelation and his infallibility, on consulting with people." Nāʾinī considered the presence of despotism and existence of despotic rulers – who dominate the country's affairs in various forms – equal to the nation's non-freedom, and maintained that despotism means people are not present in the scene and have no access to freedom as their divinely-granted blessing (Taskīn-dūst, n.d., p. 62).

4. People and types of government in Sheikh Ismāʿīl Maḥallātī's view

In his important book entitled *al-Liʾālī al-Marbūʿa fil-Wujūb al-Mashrūʿa*, Muhammad Ismāʿīl Maḥallātī, one of the jurists in Najaf in Constitutional period among the great companions of Ākhūnd Khurāsānī, has considered people's role in government and its various types. He speaks of people and their role in government more explicitly and bases his classification of government on the extent people partake in the government. He divided government into three types:

The first type is the despotic absolute government wherein people have no share in the typical rules and public interest, and are completely closed-handed and negated-rights. They serve as the slaves of the king and – in other words – are the instances of the rule "the slave and his possessions belong to his master" with no right to object, because "he is not responsible for what he does, and they are responsible". In absolute sultanate regime, the inhabitants of the country (i.e. people) have no right to participate in affairs. Another point in this classification is Maḥallātī's reference to the relationship

between the slave and the master in such a government. As seen before, Ākhūnd and Nāʾīnī used the concept of ownership, but Maḥallātī inserts the concept of master/ slaves to say the situation is more acute and the government's relationship with people in such governments goes beyond ownership to slavery. Although a slave is also possessed by his master, Maḥallātī's emphasis on slavery instead of ownership deserves attention.

The second type of government in Maḥallātī's view is the absolute sultanate (or the Infallible Imam's sultanate) wherein people have no participation, but the typical rights are established and recognized for them. In his view, the foundation of the caliphate of the Prophet's successors and Imams' sultanate is this type of government (Maḥallātī, 1390 SH, p. 203). As seen here, Maḥallātī has referred to people in such a government – which is not available now – and emphasizes that although people have no role in such a government, their rights are determined and will not be violated. His reference to typical rights can be close to the concept of Nāʾīnī's 'common typical rights' (Murādkhānī and Ṣādiqiyān, 1397 SH).

The third type of government is the constitutional government wherein "the public benefits and general political interests as well as what causes reform and growth and leads to the country's civilization and prosperity belong to all inhabitants of that land. Thus, some trusted representatives must be chosen by all of them to specify the public interests and losses so that they determine the typical goodness and degradations and offer them to the king. He then would command or prohibit according to what is passed and incite all governmental offices accordingly" (Maḥallātī, 1390 SH, p. 212). In introducing this type of government, Maḥallātī refers to people's role to mention a novel point. In that type of government, all country's affairs belong not to the individuals but to all inhabitants of the country as a whole, which is one of the delicate references to the concept of 'nation' in our traditional thought (as opposed to 'people') which is a result of the concept of people in the modern age. To emphasize this fact, he refers to the point that the parliament representatives are also trusted persons chosen by all people for managing the country's affairs. In Maḥallātī's view, since the second type

of government is impossible in the current age, we must choose one of the two other types and of course, "no rational being doubts that constitutional sultanate is preferred to despotic absolute sultanate" (Maḥallātī, 1390 SH, p. 215).

Maḥallātī, just like Nāʾinī, maintains that people must choose righteous individuals aware of the current issues for representing them. Indeed, if people err in choosing the qualified persons, they have harmed themselves. He maintained that even if they choose non-qualified representatives, they are legitimate persons for administration, because they are chosen by people. Nevertheless, if there is a more qualified person, that person has just the right to criticize or – in religious expression – enjoin good and forbid evil by using the existing means and tools in order to reform affairs and direct authorities. Maḥallātī adduces Imam Ali's government as an example. Although Imam had the [right to] authority and imamate, he respected people's choice and yielded to the caliphs to whom people had paid allegiance before him. However, he never gave up enjoining good and forbidding evil; and when people paid allegiance to Imam, he established his own government in line with his mission and with reliance on people's allegiance (Rūḥānī, 1385 SH, p. 55).

In answering the sophistry of some people who objected that "when there are religious scholars present, the governance of representatives of people (most of whom are unaware of the religious issues) is inconsistent with the religious and rational principles", and also in response to the opinion that the legislative parliament would discourage people from obeying the scholars, Maḥallātī writes: "obeying the religious scholars is – as mandated by the true religion of Islam – obligatory in two occasions: one is in the general religious laws wherein ordinary people must refer to the scholars and imitate a qualified scholar; and the other is in minor external issues when they are liable to the judgment of a Muslim judge, which is apparent in jurisdiction. Otherwise, it is not obligatory to obey the scholars." (Zargarī-Nijād, 1377 SH, pp. 541-571) Besides, Maḥallātī believes that wardenship of the people, under the pretext that they are unable to discern their benefits and losses, is interfering in people's lives and rights, and is not rationally or religiously justified

(Maḥallātī, 1390 SH, p. 243).

Maḥallātī maintains that the Constitutional revolution is an attempt to free people from the shackles of despotism, and considers the establishment of an institution like parliament as a means to regain their rights so that they can acquire glory and wealth like other civilized states. Thus, for him, it is necessary that people's representatives be the most qualified and most aware of the current issues so that they can defend the people's rights and regard their opinions as important. The individuals who are aware of the demands of the time and aware of the policies must consider people's opinions – which are of great importance – to use them in their counseling sessions and enact laws which are useful for people. For this jurist, although people enjoy rights in the non-religious public affairs and the jurist cannot regard his own opinion superior to the opinions of the wise persons, he – an expert in religious affairs – has the duty to supervise and control the public affairs in addition to inferring the religious laws (Maḥallātī, 1390 SH, p. 235).

Conclusion

Constitutionalism, despotism, legitimate constitutionalism, parliament, voting, equality, right, law, and people's governance have been concepts with important role and position in the history of political and social evolution in Iran for more than one century. Many of the research headings and entries have been appropriated to these concepts, and some studies have been composed in rejecting, confirming, or justifying them. The central point and the connecting link of the abovementioned concepts can be found in 'constitutionalism' whose entrance into the evolutions in Iran brought many other concepts and faced with different positions.

Many Iranian thinkers in the Constitutional period have offered theoretical discussions which are, in some cases, the expansion of traditional thought, and a rupture from the past ideas. In the present article, we have tried to investigate one of those concepts in the mind of a group of activists of Constitutionalism in Iran, i.e. the constitutionalist jurists. At certain temporal conditions, they – as the traditional representatives – have played

important role in modernism. These scholars did not stop at the past traditional doctrines; rather, they opened a new chapter in the Shiite political thought by using political and social laws according to the conditions of time, place, and demands of the time. One of the great achievements of the new political thoughts of these jurists in the political arena is the government-people relationship. In discussing types of government, the Shiite Constitutional jurists have mentioned some novel points and made important innovations. Not only did they quit the old frameworks, but also they resorted to speaking of various types of government to refer to people's role in the modern governments. No doubt, one could not speak of people's governance and their role in the government, but three Constitutional aforementioned jurists could manage to use much nicety to speak about types of government as a path for inserting people's role into the government – which was an important and prominent task as the starting point. Besides, they used the facilities of the Shiite jurisprudence for this important task and could bring concepts such as ownership and trusteeship from the private jurisprudence into the new realm of politics and society, and establish a new way of thinking. No doubt, investigating their role and the effect of their jurisprudential and political opinions in the victory of Constitutionalism can bring about ample capacities in the spheres of theorization and practice

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Research Article

**The Traditionalist Political Reconstruction
and Anti-traditionalist Social Renovation**

**A Comparative and Critical Study of Two Readings of
Modernization in Contemporary Iran: Political
Reconstruction and Social Renovation¹**

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Abstract

The present article deals with an analytical and critical investigation of the traditionalist and anti-traditionalist readings of modernism, during the periods of Constitutionalism and 1st Pahlavi, in a comparative study of the thought and practice of 'Allāmah Nā'īnī and Reza Shah. This article tries to explain, by using the methodological facilities of hermeneutic phenomenology, the interpretive trend leading to the emergence of those two readings and find a way to discovering the logic effective in phenomenological emergence of those readings as interpretive systems in the contemporary Iran. Such an approach makes it possible for research to specify some of the consequences resulted from approaching those two readings. To do such

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an important task, as required by methodology, this article firstly investigates the individual and social lived experiences of 'Allāma Nā'īnī and Reza Shah, and secondly identifies and studies the hermeneutic background leading to formation of those two readings in phenomenological emergence of their experiences.

Keywords

anti-traditional renovation, traditionalist renovation, hermeneutic phenomenology, lived experience of Reza Shah.

Introduction

This article deals with a comparative study of two readings of political reconstruction and social renovation in contemporary Iran. Those two readings are discussed by 'Allāma Nā'īnī's leaning in Constitutional period and Reza Shah's leaning in Pahlavi period. The hypothesis in this study is that, as required by the personal and social lived experiences of those two persons, 'Allāma Nā'īnī's reading of political reconstruction during Constitutionalism was 'traditionalist' and Reza Shah's reading of social renovation was anti-traditionalist. This study shows that the former reading was able to offer a deep perception of the process of renovation, which was comprehensively consistent with the processes leading to emergence of renovation and modernism in parliamentarist leanings in other parts of the world as to the contemplation in an *a-priori* affair in order to pass to an *a-posteriori* affair. This is while the latter reading gives a radical perception of modernism, which was akin to fanatic and non-permanent leanings of political and social renovations in West such as Fascism, Nazism, and Bolshevism. The methodology in this study is hermeneutic phenomenology, which attempts to identify and pursue the phenomenological manifestations resulted from the lived experiences in individual and social levels in order to explain the interpretive trend leading to readings supported by the owners of those experiences. Approaching the aforementioned personages in this article was followed in view of the capacities of this methodology in identifying the relationship between awareness and the lived experience of the prominent and influential figures in order to discover the spirit of political reconstruction and social renovation in accordance with the evolutions of the

time and context in two eras of Constitutionalism and 1st Pahlavi respectively. The organization of materials in this study is in a way that the article consists, in addition to this introduction, of four sections as follows: the methodological explanation of the study and investigation of the central idea of the study, the political reconstruction in Constitutional period and Nā'īnī's contemplations, the social renovation under the 1st Pahlavi and Reza Shah's function, and finally, conclusion and presenting the findings of the study.

Section 1: the methodological explanation and investigation of the central idea of the study regarding its methodology

This section includes two main discussions: explanation of methodology, and explanation of the central idea of the study regarding the methodology. The followings are an exposition of them:

First: Explanation of the methodology of the study

The methodology of this study is hermeneutic phenomenology. This methodology is of the qualitative type and is specifically classified under a part of the theory of phenomenology, which is itself an eminent school in continental philosophy. Nevertheless, this methodology in addition to being directly affected by that school, seriously considers the theory of interpretation and hermeneutics as well.

In the late nineteenth century, Edmund Husserl offered phenomenology as a transcendental school with methodological accessories for understanding phenomena. By emphasizing the importance of human's experience as the most definite fact, he maintained that manifestations resulted from the contemplation on experience can be a basis for knowledge leading to realizing the "structure of consciousness". The Husserl's central idea is still ongoing in the hermeneutic phenomenology. The hermeneutic phenomenology was realized under the Utrecht School which is influenced by the Dutch phenomenologists (Cohen et al., 2000, p.9). Max van Manen, the prominent figure in hermeneutic phenomenology, introduces this method as showing an

effort for combining the methodological facilities in two spheres of hermeneutics and phenomenology (Willig, 2008, p.168). This phenomenology is specifically suggestive of a compound framework on the basis of which the lived experience is considered as a phenomenon that is necessary to take as a tool for comprehending and a context for interpreting the meanings of human's actions and behaviors, which is naturally a hermeneutic affair. Therefore, the methodology of hermeneutic phenomenology can be considered as an effort in the way of recognizing meaning, as an interpretive or hermeneutic affair, from the viewpoint of referring to the lived experience which is suggestive of phenomenological logic in pursuing the structure of consciousness or action. Considering this fact, one can recognize the methodology of hermeneutic phenomenology as follows: the effort for discovering the hermeneutic logic leading to consciousness and action following reference to the lived experience of the subject of study (Ehrich, 2005, pp.1-13). This means that according to this methodology, it is necessary for one to go through the channel of referring to manifestations of human's lived experiences to the interpretation of the system of consciousness and the structure of human's action in order to discover the logic of his reading. In other words, commitment to this methodology means a systematic attempt to discover the mode of individuals' reading of ideas and achievements, in an interpretive process, following a reference to their lived experience as a phenomenon to study. Considering the abovementioned facts, we may introduce such a methodological approach as resulted from the following steps:

- (1) Concentrating on the lived experience of the owners of a reading in regard with a special achievement (thought or action);
- (2) Referring to this experience as a definite phenomenon which is our main tool for recognizing the system of consciousness/ structure of action resulted from the lived experience and forming their reading from a particular situation;
- (3) Interpretive approach to this accumulated lived experience aiming at discovering the

hermeneutic features of their reading in that special situation.

Second: Explanation of the central idea of the study regarding the methodology

Considering the abovementioned facts, we try through this study to achieve the explanation of a variety of approaches regarding modernism from the viewpoint of the lived experience of two important and symbolic figures, i.e. Mīrzā Nāʾīnī and Reza Shah, in two readings of political reconstruction and social renovation. Due to their different individual and social lived experiences in two eras of Constitutionalism and Pahlavi, one has dealt with political reconstruction from an intellectual viewpoint and on the basis of a knowledge-based logic, and the other has pursued social renovation from an operational viewpoint and on the basis of a power-based logic. Our choice of these two figures returns to their central importance regarding the explanation of political reconstruction and social renovation as demanded by the time and context for each of them (Nāʾīnī's knowledge-based approach to political reconstruction in Constitutional era and Reza Shah's power-based approach to social renovation under the 1st Pahlavi).

An important point is that it is the methodological capacity of the study that theoretically prepares, by creating a theoretical facility for focusing on various backgrounds for formation of different readings of the subject under study (political reconstruction and social renovation), a potentiality for taking a comparative study between those two important historical figures in spite of difference in their background and functional logic. In other words, using hermeneutic phenomenology as the methodology of the study opens the way for a systematic study of a variety of lived experiences of individuals in the way to explain their readings and perceptions regarding various manifestations of modernization (political reconstruction by Nāʾīnī and social renovation by Reza Shah). Naturally, there is a considerable difference between Nāʾīnī's knowledge-based approach and Reza Shah's power-based approach in considering the new affairs. However, it is the capacity of the methodology of this study that can make those two approaches, beyond that difference,

comparable in the horizon of the implications of their position (phenomenology) regarding a common external issue (the hermeneutic trend of reading from one logic).

Clearly, as demanded by the methodology, what is important for us is not the lived experience of the two persons studied; rather, it is the reading resulted from it in relation to a third situation. Such a possibility would be useful, in a higher level, in identifying important levels of the system of consciousness related to the spirit of time and context in historical eras related to those persons (Constitutionalism and Pahlavi I), and heightens our apprehension of the thought and practice in those historical eras. Accordingly, we may explain the main concern of this study, in view of the capacity of its methodology, as follows: this study attempts to compare two different approaches (knowledge-based and power-based) in presenting different readings of modernization in contemporary Iran (political reconstruction and social renovation), while referring to the lived experiences of the two of the best-known figures representing those approaches, i.e. ‘Allāma Nā’īnī and Reza Shah.

Considering the aforementioned materials, we may formulate the hypothesis of the study as follows: in Nā’īnī’s reading of Constitutionalism, we face a traditionalist perception of modernism that attempts to make future possible in relation to the past. This system of consciousness is suggestive of a far-reaching effort for creating an intellectual link between the *a-priori* and *a-posteriori* systems of consciousness. This is while in Reza Shah’s modernism, inattention to the past becomes the source for power-based and pragmatist approach to policy-making. And accordingly, the continuous past and tradition (unlike the ideal past and mental traditionalism) are systematically denied and abased.

The present study attempts to refer to two central figures in the Constitutionalism and 1st Pahlavi periods, i.e. ‘Allāma Nā’īnī and Reza Shah, to achieve a perception of those two approaches to political reconstruction and social renovation in the contemporary Iran. Accordingly, in the next

sections (2nd and 3rd) of the study, we deal with the manifestations of the lived experiences of Nāʾīnī and Reza Shah – respectively – amid the social arrangements and their implications, and try to explain the reasons for formation of the interpretive system leading to two important readings of the political reconstruction and social renovation during two important historical eras of contemporary Iran up to Islamic Revolution. Each of those sections includes two main discussions: first, explanation of the lived experience of each of those personages in the individual/personal and social/ institutional levels; and second, explanation of the features of traditionalist or anti-traditional readings of those personages on the basis of their lived experience in their approach to political reconstruction and social renovation.

Section 2: Renovation and reconstruction in Constitutionalism and Nāʾīnī

The second section of this article includes two discussions: explanation of the lived experience of Mīrzā Nāʾīnī and explanation of the features of his traditionalist reading regarding that lived experience.

First: Mīrzā Nāʾīnī's lived experience

Nāʾīnī's lived experience prepared for him a unique historical facility to understand the 'old affair' and the 'modern affair' simultaneously and critically, and explain their more or less novel relationship from the facilities of old and modern consciousness. Therefore, many prominent researchers of Constitutionalism maintain that Nāʾīnī has a composing aspect regarding the Iranian Constitutionalist thought, and – in one sense – is considered the scientific figure of Constitutionalism (Keddie, 2013, p. 8). We explain his lived experience in two levels of personal/ identity and his time and context arrangements (social/ institutional features regarding Nāʾīnī):

One: Nāʾīnī's lived experience based on his personal/ identity features: to obtain a perception of the interpretive logic leading to Nāʾīnī's special reading of political reconstruction, it is necessary to discuss his personality features in two levels of his consciousness of jurisprudence and principles of

jurisprudence as well as his consciousness related to the contemporary era. The first level returns to the relationship between Nāʾīnī's scientific personality and traditional world; and the second level returns to the relationship between Nāʾīnī's scientific personality and the contemporary world. Here are the explanations:

A) The personality features related to the consciousness system of Nāʾīnī's jurisprudence and principles of jurisprudence: Nāʾīnī has studied in Sheikh Anṣārī's jurisprudential school and is the pupil and close associate for the late Ākhūnd Khurāsni (Ḥāʾirī, 1364 SH, pp. 156-157). The specific feature of this important jurisprudential school is its attention to the public sphere from a special perspective. At least in his important and influential book entitled *al-Makāsib*, unlike Mullā Aḥmad Narāqī (Narāqī, 1366, p.186) and Muhammad Ḥasan Najafī, author of *al-Jawāhir al-Kalām* (Ṣāhib Jawāhir, 1362, vol.22, pp.194-195), Sheikh Anṣārī considers entrance of jurists to the public sphere in the Occultation Period restricted to the affairs pertaining to judgment and *ḥisbiya*,¹ not the far-reaching and general jurisprudential authority (Sheikh Anṣārī, 1413 AH, vol.3, p.557). This special perception of the clerics' duties in the public sphere is formulated amid the special sociological evolutions which are, in turn, suggestive of the arrangements of the time and context of the period between Sheikh Anṣārī and ʿAllāma Nāʾīnī. This special evolution is that, under the influence of Ayatollah Najafī, known as *Ṣāhib Jawāhir*, and then Sheikh Anṣārī, known as *Sheikh Aʿzam*, the system of *marjaʿiyyat* (religious authority) is objectively realized, and is practically able to form a wide and, more or less, established network throughout the Shiite world – especially Iran. In a sense, for the first time, the new structure of religious authority in the form of a widespread network and still independent of the royal power and controllable by the zenith of hierarchy, i.e. the general Shiite authority, emerges (Qāsimī, 1384 SH, vol.1, p.19). Therefore, both from the sociological viewpoint (strengthening the institution of religious authority)

1. Benevolent action which requires a qualified religious jurist or his representative

and from the intellectual viewpoint (the jurists' authority in public sphere for judgment and *hisbiya* affairs), the clerics' authority in the society is established and the clerics' social trend gets importance as an institution rival for the monarchy. The most important feature of that institution is its reliance on people and its association with them. This is because the financial sources of this institution, which are provided mainly from the Imam's share of *khums*,¹ is directly dependent on taking religious tax from people, just as – even beyond the financial discussions – the principles of its reticulated presence in the society becomes possible and justified through the maintenance of an effective and continuous relationship with people. Indeed, the relationship between the clergy institution and the people in that era was – unlike the royal institution that was backed up by discernible aspects of enforcing power and hard authority – of the soft type of authority and sympathy resulted from belief and faith. Nāʾīnī's constitutional mentality was nurtured amid that conditions and grew up under its facilities.

Another important point in regard with Nāʾīnī's intellectual lived experience in relationship to the world of tradition is his historical and prominent status in the discipline of 'principles of jurisprudence'. He is known as the renovator of the Shiite discipline of 'principles of jurisprudence' in the modern age. Those who are familiar with the seminary chairs of discussion know that obtaining that position is no easy thing, and is the sign for his most important, most frequent and unique status in discussions on 'principles of jurisprudence' (Amīn ʿĀmilī, 1403 AH, vol.6, pp.54-55). This importance has come to today and has led to the point wherein his basic discussions and theories in various chapters of the 'principles of jurisprudence' is a fixed course in curriculum of seminary schools. This feature of Nāʾīnī's scientific personality was mostly effective in his methodic and systematically juristic approach to the theory of Constitutionalism.

B) The personality features related to the contemporary system of

1. One fifth religious tax

consciousness in Nāʾīnī: Nāʾīnī lived between two worlds, i.e. Iranian Farsi speaking world and Iraqi Arabic speaking world eager to know and understand about social renovation. He was the product of an era when the Iranian and Arab world would experience important and influential intellectual evolutions. Those intellectual evolutions would be written down and presented in important books. Nāʾīnī was specifically influenced by that situation, and studied one of the most fundamental works written by the dynamic stream of Arabic modern thinking. This important and historic book, which would give a precise and first-hand perception of the important conceptions of modern age, was Kawākibī's *Ṭabāyiʿ al-Istibād*. This book was composed, due to Alfieri's works, under the influence of one of the most important figures of modernism, i.e. Montesquieu, and brought about a basic attitude of the modernist logic (Ḥāʾirī, 1364 SH, pp. 223-226). The importance of Montesquieu's effort is to the extent that his intellectual heritage is considered among the most frequent attempts in comprehending the intellectual schools of the modern age. In addition to *Ṭabāyiʿ al-Istibād*, Nāʾīnī was influenced by the milieu of religious modernism in Iran, and was informed of the important intellectual evolutions since Nāsirī's era.

Second: Nāʾīnī's lived experience based on the time and context arrangements. The arrangements surrounding Nāʾīnī's lived experience can be explained in social and institutional levels as follows:

A) Institutional arrangements: from the viewpoint of history of evolution in seminary centers, Nāʾīnī lived in a critical era and an important situation. He was a member of the recent generations of the numerous and powerful Iranian stream, who had made Najaf their scientific homeland after the decline of the Shiite seminary of Isfahan following the defeat of Safawids against rebellious Afghans, granting an exceptional scientific prosperity to that city. The importance of this issue was due to the fact that in Najaf seminary, like Isfahan, the Shiite jurists would regard the legitimacy of the Shiite religious government to be on the basis of the jurist's permission (Elgar, 1369 SH, pp.79-81), although in that city – unlike Isfahan – the jurists were not under the authority of the king; rather, they lived as a more or less

independent and authentic institution. Besides, the dominion of the school of principles of jurisprudence, influenced by Vaḥīd Bihbahānī's efforts, in Najaf seminary center must be considered as well.

The adherents of 'principles of jurisprudence' (*Uṣūliyyūn*), unlike traditionalists (*Akhhāriyyūn*) maintained that one can answer any question posed to the system of jurisprudential consciousness by considering legal evidences and principles of [religious] practice (Samī, 1397 SH, pp.9-10). Under such a perception, the hierarchal system of imitation from the most knowledgeable jurist became important; and as explained before, the jurisprudential theory and social arrangements of the post-Sheikh Anṣārī period caused us to face with a clergy institution independent of government and dependent on people – an institution whose observable and unobservable lines of infiltration were spread throughout the country.

B) Social arrangements: we have not gone astray if we consider Nā'īnī's age as the time of flow of consciousness of the Muslim elites to the public sphere and the social arena. Before him and in the Nāṣirī's age, the intellectual figures such as Sayyid Jamāluddīn Asadābādī had attempted to light a lamp in the dark room of the elites' minds; however, sometimes later and in the time when Nā'īnī composed *Tanbīh al-Umma*– actually, the era of constitutionalism in Iran and reforms in Iraq – the critical awareness of the Muslims' condition in the changing world was a more or less widespread social process and influential levels of educated people and ordinary people wished political reconstruction and social renovation (Fādilī, 1387 SH, pp. 14-15). In that era, the Shiite clergy institution enjoyed a special position which gave it a central status in the path of evolutionism. This institution was financially dependent on people, organizationally independent of the government, and legitimately influential on the power structure. In a sense, the Shiite seminary center was recognized as the most important institutional people-centered capacity against the power-centered royal system. The experience of Constitutionalism showed that important sections of that institution favored the structural reforms. We can find the grounds for gathering of this

historical potentiality around [religious] scholars, even before the Constitutionalism, and in 'tobacco movement' – which prepared, in a sense, the ground for the relationship between the scholars and the society against Qājār court. As some historians have asserted, the monopoly of tobacco was "a confrontation between people and government, wherein the leadership of the scholars showed a new willpower and concept of leadership" (Elgar, 1369 SH, p.307).

Third: The features of Nāʾīnī's traditionalist reading

Considering what was mentioned in the previous section, we may achieve a perception of the grounds for formation of the traditionalist reading of the political reconstruction for Nāʾīnī. Indeed, Nāʾīnī's lived experience in personal/ identity sphere (his perception of the awareness resulted from the classic thought – i.e. jurisprudence and principles of jurisprudence – and the new thought – *Ṭabāyiʿ al-Istibdād* etc.) and the social/ institutional sphere (formation of the pyramidal institution of authority-centered clergy in relation to people in Najaf in a way independent of royal authority and promotion of evolutionist public awareness in relation to the structure of this institution) became the source for a special intellectual system in Nāʾīnī, which is able to explain the interpretive logic and hermeneutical structure of his political thought. It was amid such arrangements that Nāʾīnī could deal, inside the system of jurisprudential awareness and in relation to capacities of his time and place, with elaboration of jurisprudential theory of Constitutionalism. To explain this important issue, it is necessary to deal with the central theme in Nāʾīnī's approach to Constitutionalism from the viewpoint of the science of jurisprudence. In the heart of this theorization, there is the creative offer of the concept of the 'typical common affair'. The typical common affair is that part of personal (hence from the viewpoint of jurisprudence under the dominion of persons over their fate) affairs (duties and rights), which is realizable as demanded by the logic of its specific manifestation in a congregational way and based on the principle of legal

representation in the social sphere (not individually). The duties pertaining to government such as protecting the public properties (routes and the like), economic management of society (economic policy-making, adjusting economic relations with foreigners, etc.), providing people with various services (education, etc.), and so on are among these duties and rights (typical common affairs). For Nāʾinī, as explained in his theory of Constitutionalism, in the Occultation period, the government is anyway illegitimate and usurper, for it violates both the rights of God and the people's rights. However, in Occultation period, unlike the age of Imam's presence – wherein the rights of God and people's rights are observed – it is necessary to reduce the level of that usurpation as far as possible. As a result, in the Occultation period, in spite of the fact that we cannot – due to structural reasons and in view of the situation resulted from the Occultation – hinder the usurpation of God's right directly; however, we may – at least – preclude usurpation of people's rights by relegating 'typical affairs' and common affairs to themselves. Accordingly, it is necessary to establish a constitutional government which is the product of the presence of legitimate representatives for people in order to attain the 'typical affairs' common among them. As Nāʾinī explains, these rights and duties are delegated to the rulers 'as a deposit' and under the rule of proxy (*wikālat*). This does not create a privilege for the person, for all the shareholders of this right have the same status (Nāʾinī, 1388 SH, p. 71). Such an approach, for Nāʾinī, is in proportion with the motif of ruling favored by God, which is realized by observing three basic concepts of freedom, equality and participation. This is because the nation's rights are secured when the people's typical common affair is realized by their deputies as demanded by the people's legal dominion over the personal common affairs among them (typical affairs) (Nāʾinī, 1388 SH, p. 64). As a result, according to Nāʾinī's theory, the *saltana wilāyatih* or the desired type of ruling, which is based on people's authority over their typical good, is possible through the three principles of participation, freedom and equality (Muballighī, 1395 SH, pp. 429-434). In a look at

Nāʾīnī's important project from the outside, one can say his approach to the typical common affair as the exposition of the government's duty (Fīrahī, 1394 SH, p. 140) shows his system of consciousness being influenced by his intellectual and social lived experience in that important historical moment.

Indeed, his approach to the Constitutional theory shows that Nāʾīnī does not consider political and social authority as belonging to kings in Occultation period; rather, he defined it as the place for manifestation of people's will, to which the pyramidal structure of authority-related clergy was associated in intellectual, financial and legitimate aspects. Through an approach like this, the necessity of circulation of justice and freedom in the public arena (Nāʾīnī's lived experience in the new age influenced by the milieu of Iran and Iraq) became the motif of his theory regarding the political reconstruction on the basis of principled-jurisprudential mentality (Nāʾīnī's lived experience in relation with the Islamic classic knowledge). According to this innovative theory, he could set the typical common affair (which is suggestive of Nāʾīnī's theoretical defense of people's status in relation to the clergy's social/ institutional situation in supporting the public sphere as the place for manifestation of people's will against the royal authority) as the basis for formation of the Constitutional political system in the Occultation period (a system wherein legislation was acknowledged), although it was necessary, as demanded by Nāʾīnī's legal approach to the limits of religious law, for those laws under the supervision of the jurists not to transgress the religious rules and principles. Such an explanation shows the interpretive structure and phenomenological hermeneutic logic of the Constitutional theory in Nāʾīnī's intellectual system. Indeed, on the basis of such an explanation and in accordance with the phenomenological hermeneutic methodology, one can conclude that Nāʾīnī's lived experience in the personal and social levels created the possibility of an interpretive reference to the intellectual, political and social process leading to modernism, a process that became – in a surprising way – suggestive of a critical and stylish system in theorizing, in the threshold of the Iranians' effective familiarity with the new conceptions,

in understanding the new world from the viewpoint of the facilities of the old world. By relying on his illustrative capacity in the spheres of jurisprudence and principles of jurisprudence as explained before, 'Allāma Nā'īnī could offer – in a systematic way – a schema of the link between the new and the old affair, which contained a more or less genuine reading of the way to political reconstruction based on the "constitutionalization of power under the law". This reading based on the dynamism of historical evolution in the Shiite thought and jurisprudence gathered the deep-thinking necessary for traditionalism – as demanded by non-slogan and research-based modernism – along with the selective approach to the new age. His approach, in view of his special lineage in systematic traditionalism in a time of making effort for political reconstruction, was akin to the main readings of the authors of reconstruction of the logic leading to its manifestation and, in a sense, was suggestive of an intrinsic potentiality in our traditional thought for an effective leaning towards the new age according to the implications and demands related to here and now.

Section 3: reconstruction and renovation under the 1st Pahlavi and Reza Shah

The third section of this writing includes two main discussions: explanation of Reza Shah's lived experience and investigating the features of his anti-traditional reading of social renovation. We discuss them as follows:

First: Reza Shah's lived experience.

The lived experience of Reza Shah as the axis of social renovation in 1st Pahlavi period is explicable in two levels of his time and context and the features of his personality and identity. This is explained as follows:

One: Reza Shah's lived experience based on the features of his personality and identity: the features of personality and identity pertaining to the Reza Shah's lived experience must be discussed in individual and professional levels.

Individual level: Reza Khan, on the one hand, had no consistent education and, on the other hand, was evaluated as a more or less hotheaded and egocentric person. This was inconsistent with the Constitutionalism's central idea, i.e. priority of people's wish in appropriating the sources of power. In addition, in view of his lineage, he was not classified as those who had lived, for a long time, with the ideas leading to formation of Constitutionalism (Niyāzmand, 1387 SH, pp. 21-54). In a sense, his personal lived experience in educational, identity and genealogical levels was alien to the talent leading to emergence of Constitutionalism and its achievement.

Professional level: Reza Shah's professional origin was of those arrangements in Constitutional and post-Constitutional periods that was not apt to acquiring a deep and critical perception of modernism. He was counted among the Cossack Brigade. This profession has a modern nature and comes from the logic of nation-nation states. However, the Cossack martial forces in Iran, due to reasons related to the power structure, unlike the European pioneering examples of the modern armies in that age, were educated and trained on the basis of the idea of submissiveness and absolute obedience. In a genealogy of Iranian army, the French philosopher, Michel Foucault, deals with the Cossack lesion under the command of Reza Khan and, while explaining the logic leading to the importance of soldiery in contemporary Iran under the Qajar and Pahlavi, explains that the military institution "never had the chance to identify itself with Iran", and instead of protecting people, "had always protected the ruling kings" (Foucault, 2005, p.13). In other words, although the modern Cossack force was formed under the idea of modernization and around the axis state-nation and not the other forms of pre-modern faithfulness, the logic leading to its birth and spread was not a support of the national will; rather, it was obedience of power centers. We may well observe the reflection of this part of Reza Shah's lived experience in reading of modernism when the 1st Pahlavi government put forward, by relying on the military force, an anti-traditional perception of the social renovation – a perception that, in spite of paying attention to the principle of nationalism, would not follow the nation's will.

Two: Reza Shah's lived experience based on his time and context arrangements (before and after kingdom)

Reza Shah lived in a special era. The important and central features of that era are explicable in subjective and objective levels:

- 1) Subjective level (from the elite's view): regarding the elite's mentality, we must deal with two issues: (a) following the failures ensuing the victory of liberals and adherents of constitutionalism, some sort of skepticism about the possibility or utility of constitutionalism spread among the political figures and elites (Gūdarzī, 1387 SH, p.12); (b) Influenced by those failures, fresh ideas and new readings of modernism were offered that, unlike the conditions of pre-Constitutionalism and arrangements leading to the victory of Constitutional movement, had an authoritative nature (Amīrī, 1383 SH, p. 26).

These two intellectual evolutions resulted in emergence of layers of collective disappointment in approaching Constitutionalism and formation of layers of intellectual weariness in defending Constitutionalism among the elites.

- 2) Objective level (in accordance with the external world and social arrangements): regarding the objective discussions and social arrangements pertaining to people, two important features of that era must be noted: (a) during the world war I, Iran's neutral position was not taken seriously by the most important countries representing modernism and idea of renovation, and the Iranians' national ruling, in relation to which the Constitutionalism gained prestige, was ignored (Muṭfī, 1397 SH, pp.72-74). This caused a grave situation in the society (Shamīm, 1387 SH, p.82), in a way that the waves of poverty and famine covered important parts of the society, causing exotic crises for people (Axworthy, 2016, p. 214); (b) the integrity of Iranian land as the most important historical achievement of Iranian people and the common point of Iranian community was practically in danger, and there were – throughout the country – individuals whose activities seemed to lead to

disintegration of the country. This infelicitous situation somehow realized in practice: from Khūzistān and western regions to Khurāsān, and from Āzarbāyjān to northern parts, due to various reasons and under the influence of a variety of ideologies, were involved in such conditions (Humāyūn Kātūziyān, 1389 SH, pp. 86-90). This situation had a bad impact on Iranians' mind, and the public, even more than the elites, were annoyed by such a condition.

Second: The features of Reza Shah's anti-traditional reading

What results from Reza Shah's individual and social lived experience can be observed in a reading he offers of social renovation. Among the goals of this section of the article is explanation of that reading and the interpretive structure leading to it by referring to Reza Shah's lived experience. Numerous researchers have dealt with this failure from various angles, and offered a variety of conceptualizations in different theoretical systems to refer to this failure. In sum, in spite of difference in theoretical dispositions, we may mention three different approaches: (1) description of modernist movement under Reza Shah as "authoritative modernity" (*Tajaddud Āmirāna*) by the writers of the letter of Academy in Germany (Shakūrī and ʿAbbāsī, 1395 SH, pp. 109-128) or by persons such as Tūraj Atābakī in comparing Iranian and Turkish modernization (Atābakī and Zurcher, 2004, p. 20) or Leylāz who refers to the first wave of authoritative modernity in Reza Shah's era (Leylāz, 1392 SH); (2) description of modernism in Pahlavi era as "quasi-modernism" by theorists such as Yīrvānd Ābrāhāmiyān (Ābrāhāmiyān, 1383 SH, p.169) and Muhammad Ali Humāyūn Kātūziyān (Humāyūn Kātūziyān, 1381 SH, p.147); and finally (3) identifying modernism of Pahlavi era as "superficial modernism" by authorities such as Muhammad Madadpūr (Madadpūr, 1388 SH).

As I believe, such approaches, in spite of being useful in uncovering some part of the nature of social renovation under Reza Shah, do not lead to the central core of modernization he meant due to no explanation of interpretive logic leading to Reza Shah's failed reading in understanding the continuous nature of old and new affair in the process of modernization, and

fails in explaining it.

We go on with the signs leading to Reza Shah's anti-traditional reading of modernization, while considering what we said regarding his time and context as well as his individual character and the structural arrangements surrounding him, and attempt to present a perception of the social renovation under the 2nd Pahlavi. Approaching those signs is important since it shows Reza Shah's reading of modernism in different levels. Those signs can be explained in political, somatic and identity spheres.

- A. Political sphere: among the most important features of anti-traditional reading of modernism under Pahlavi was its systematic retreat from constitutional theory (defending political reconstruction) to the pre-Constitutional political arrangements. The great achievement of Constitutionalism was the partial delegation of authority to people and the National Parliament selected by them. This invaluable achievement was severely challenged in Pahlavi period (*Zībākālām*, 1398 SH, p. 286). Indeed, the 1st Pahlavi made efforts to turn the National Parliament into a mainly dependent collection which had mainly ceremonial and formal functions for the goals of the court. Considering this fact, some have described that parliament as a seal in the hands of the court for enacting the interests of the government (Yaghoubian, 2014, p.132). As a result, an important part of the Constitutional law, except its appearance, did not remain; and instead of committing to observing the basic rights guaranteed in the Constitutional law, they restricted themselves to a bureaucratic order including a weak parliament intended for providing despotic Shah's interests. Another instance of anti-traditional modernism in Pahlavi era was its Shah-centered and unilateral policy-making in the public arena. The symbol for that approach was forcing women to remove their veils. What made enforcing such policies possible was the "absolute dictatorial power" against which no one could resist (*Humāyūn Kātūziyān*, 1389 SH, pp. 419-420). It is quite clear that such an approach was never consistent with the idea of deep-thinking

renovation believing in the enjoyment of people – including men and women – of rights and was, in practice, suggestive of enforcing violence against all members of the society.

- B. Identity sphere: among the features of anti-traditional reading of modernism was its resort to a distant revivalism instead of referring to tradition as an objective reality and achievement. More precisely, leaning towards tradition and enjoying the past history is the identity-giving factor for the communities. In answering to this leaning, the anti-traditional reading of modernism resorts to idealism of tradition instead of realism of tradition. In such a view, tradition – as a continuous affair – is audaciously denied, humiliated and ruined, not reviewed, researched and purified. As a result, instead of real tradition, a world of distant and subjective concepts is propounded as the tradition. Such a condition can be clearly observed in the Pahlavi era. The idea of ancient Iran under an idealistic and ideological perception, and not as a valuable part of our continuous and palpable identity before and after Islam, was the result of such an approach. It was under such a look that we observed the systematic extension of the concept of superstition to various aspects of the spiritual heritage remained from the past, aimed at supporting a superficial, invalid and available perception of the superiority of ancient past gone. Some fanatic critiques of poets such as ‘Aṭṭār, Sanā’ī, Sa’dī, and Mowlānā – that would consider their little achievements as superstition and regarding approaching them as a cause for lag (Kasrawī, 1322 SH, pp. 15, 47-48) – were suggestive of such an approach. Besides, among the symbols of this identity approach was a request for the change in Iran's international name in non-Persian languages. Iran, which is one of the few countries with a real continuous history from the ancient times up to now, has for centuries been known as "Iran" among its inhabitants and some of the neighboring countries, and as "Persian Land" among the people of many other countries, a name with different historical forms in various linguistic branches such as

"Persis" in Greek, Latin, German, Dutch, Czech and in some other languages in eastern, northern and central Europe; "Perse/ Persie" in French; "Persiana" in Spain; and "Persia" in English (Roberts, 2014, p. 346). This identity name and historical notation was, and still is, a valuable and unique part in identity and historical heritage of Iranian people in all ethnic groups and a forming element of the contemporary Iranian culture (Akbarzāda, 1382 SH, p.82-87). Reza Shah's anti-traditional and simplifying reading of modernism, which lacked any perception of the breadth of the running tradition and the historically ongoing campaign in Iran and the surrounding countries as the continuous identity among different peoples and wanted – under a petty mentality – to separate itself from whatever returns to the near past, Qājār in particular, struck a dire blow to that historical capacity by changing Iran's international name in 1935 (Mu'taḍid, 1383 SH, p.118). Reza Shah had the anti-traditional and naïve belief that Iran's international name is reminiscent of the Qājār politicians' clumsiness, and this was inconsistent with the progression in his era.

- C. Somatic sphere: among the features of anti-traditional social renovation was inattention to objective symbols of the previous age and making effort to remove them. Removal of the somatic aspects of the previous age, such as destruction of architectural remnants of Qājār period and the eras before it in cities such as Tehran (Kūbān, 1370 SH, vol.1, p.118) was a definite symbol for that superficial approach in modernism. From the destruction of magnificent gates of Tehran to Qazwīn and Rey and other regions to disarranging the historical urban textures remained from Qājār period and before it were all suggestive of such an approach. These changes in urban architectural arrangements, more than anything else, were similar to a billboard that would announce the message of the new age or "Pahlavi Era" (Devos & Werner, 2013, p. 114). Another instance of this leaning to change in city body was destruction of symbolic parts of the previous authority. Specifically Reza Shah, due to his aversion to Qājār dynasty, ordered the

destruction of the internal section of Gulistān Palace (Raḥīmī Amīn, 1398 SH, pp.71-72).

In contrast to this destructive zeal for anti-traditionalism, the traditional reading of modernism was attempting to preserve the somatic aspects related to the antecedents, which gives a historical continuity to the intergenerational spiritual life. In explaining this approach, one can deal with the way modernism encounters architecture in England. The result of this modernism can be seen in London, the city that, in spite of high cost and the limited usage of the old buildings, seriously preserves them, and the management of the urban façade in it is based on a traditional perception. Similar conditions can be seen in important cities such as Paris and Rome. The feature of this modernism is protecting the past and its heritage. What is seen in cities such as London, Paris and Rome is in the sphere of architecture, but this protection heralds the traditional spirit of modernism in protecting the past achievements, both in somatic and subjective levels.

As the result, the social renovation in 2nd Pahlavi era must be seen as the product of a mentality that sought the identity in idealism of tradition instead of real and continuous tradition; substituted modern dictatorship for older forms of despotic government instead of furthering the constitutional political affair which was the historical heritage of Iranians in controlling Iranian classic sultanate; and finally, attempted to remove the somatic forms and signs of the world before itself instead of protecting the past heritage.

Such a perception of modernization, in spite of partial successes in creating new bureaucracy and industrialization of some parts of the society as well as some architectural achievements such as making new ways and the north railway, did not make its way into a basic change due to enmity towards fundamental reform in appropriating power (political affair) and demanded by its despotic nature, and remained restricted to the level of social renovation and not deep-thinking reconstruction in regard with logic of authority and arrangements of power. As we explained, many aspects of this social renovation were inconsistent with the citizens' political wish and basic rights, showing a dictatorial and patriarchal approach.

Section 4: conclusion and offering the research findings

The hermeneutic phenomenology prepares a creative methodological ground for understanding the variety in readings of modernization. This important point is achieved through a study wherein we explain the logic that is suggestive of the lived experience of carriers of those readings in relation to the social arrangement and dynamism of the public arena. In such an approach to the contemporary political history of Iran, the two spheres of Constitutionalism and the era of the 1st Pahlavi show this variety of readings of modernization. One of the two readings is able to offer the reconstructive approach to the political affair, but the other cannot go beyond social renovation. The difference between these two readings is that the traditional reading focused on political reconstruction can manage to view, under an intellectual evolution, the tradition and its capacities from the viewpoint of historical facilities for an internal change from the past to the present, and can focus its attention on theorizing about political reconstruction on the basis of identity regeneration and reflective criticizing of the past achievements, while the anti-traditional reading of modernization focused on social renovation has, intellectually and executively, an approach inattentive of tradition and, from the viewpoint of psychology and identity, distrustful and disappointed of the past. As a result, such a reading, in the absence of a reconstructive reference incapable of creating idealistic relationship in understanding a continuous awareness from the tradition to future, prepares an ideal identity free from *a priori* affair for itself.

According to the findings of the study, Nāʾīnī could offer a critical reading of the necessity and justification of Constitutionalism based on the facilities of the Iranian local thought, a necessity and justification that was similar to the most genuine reconstructive attitudes in the origin of modernization such as the gradual parliamentary reformation, while Reza Shah's reading of social modernization in the 2nd Pahlavi era was simplistic and similar to the readings of modernization that emerged during the modernist radical approaches such as Fascism, Nazism and Bolshevism.

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Research Article

The State in the Political Thinking of Mullā Ṣadrā and Imam Khomeini¹

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Abstract

The main question of the present article is as follows: "what are the features of the state from the viewpoint of a group of Muslim thinkers known in the framework of transcendental philosophy?" The claim of this article is that the specific aspect of the state from the viewpoint of a group of the philosophers of the transcendental philosophy lies in the type of viewing the rational necessity of the state, in explaining the relationship between religion and state and between religion and politics, and specially, in the people's role and status in the state. Thus, the present article attempts to use the approach of political philosophy and a descriptive-analytical method to deal with some of the features of the state. In this article, the abovementioned claim is investigated by considering the opinions of the philosophers of the transcendental philosophy, including Mullā Ṣadrā Shīrāzī and Imam Khomeini as well as some other thinkers of this philosophical school. The consequences of the discussion are reflected especially in delineating the rational necessity and evidences

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of the presence of state, the scope of the state's interference in the society, explanation of the features of undesirable state, the people's role and presence in determining their destiny and backing up the state, and the type of their view of the relationship between the religion and the politics in the Islamic Republic of Iran.

Keywords

transcendental philosophy, religion, state, political philosophy, transcendental political philosophy, Mullā Ṣadrā, Imam Khomeini.

Introduction

The discussion on the state is among the most important discussions propounded in the political sciences, especially the discussions pertaining to the political thinking and political philosophy. This importance is because of the fact that the state's decisions and measures vividly affect all the pillars of the society, especially the people's lifestyle. This has caused various thinkers to regard the issue of a great importance to be discussed. However, it has been less scrutinized in the discussions of our philosophical schools, especially in the contemporary period. Thus, it is necessary to reread the Islamic philosophical schools in this regard, and discuss the features of the state in those intellectual systems on the basis of today's needs. The present article generally claims that the state in any of the systems of the Islamic philosophy has special features. This article is also committed to reread this issue in the system of the transcendental philosophy. While those features can be discussed very broadly, they are restricted to the view of the rational necessity of the state, the explanation of the relationship between religion and state and between religion and politics, the people's role and status in the state, and considering the dimensions of the undesirable state in that system. Naturally, this article cannot deal with all aspects of the issue and will deal with some parts of it. Accordingly, we have attempted to insert in this article some of the aspects of the most important discussions regarding the state in the opinions of transcendental philosophers not referred to in other articles of the author. It is worth mentioning that the author has published an independent article on the approach of the transcendental political

philosophy to state (Lakzaei, 1398 SH). Therefore, here he does not present some of the discussions to prevent repetition. Besides, the author has appropriated one chapter of his newly published book entitled *Hikmat Siyāsī Muta‘āliya* (Lakzaei, 1399 SH) to the state, and the present article is based on that book. The following section deals with this subject in four lines of discussion:

1. On the rational necessity of the state

The discussions propounded on the state by the thinkers of the transcendental philosophy are somewhat variant, ranging from the necessity of the state and the way it is formed to the scope and latitude of the statesmen. Regarding the necessity of the existence of the state, there is almost no disagreement among the thinkers of transcendental philosophy, and almost all of them emphasize its necessity. For example, Imam Khomeini, as the philosopher of the transcendental philosophy, has emphasized this necessity in his book entitled *Kashf al-Asrār* as a sociopolitical text written in his youth, enumerating it as rational precept (Imam Khomeini, n.d., p. 181). From the same perspective, he refers to the state's discretion in the public sphere and asserts that the states, anyway, have the right to discretion, making decisions about the people's lives and properties, sometimes out of desperation. Therefore, in Imam Khomeini's view, it is better for the ruler to be someone who is permitted to act on his discretion in the public sphere. Indeed, in his view, the qualified individuals are those who are allowed to act on their own discretion in the abovementioned matters. Imam Khomeini continues to prove the jurist's right to discretion (Imam Khomeini, n.d., p. 181). In other words, he maintains that if a person is qualified, he can decide on people's lives and properties. It must be noted that Imam Khomeini, elsewhere, regards the private sphere out of the scope of such discretion. Indeed, the person qualified for managing the state cannot interfere in or influence people's private sphere (See Lakzaei, 1396 SH). However, the details of the issue must be discussed.

In the discussion on divine state and the fact that the [true] ruling belongs only to God, Imam Khomeini initially puts forward discussions and, after

reviewing the human states, he proves the right to state for the qualified jurist (*faqīh*). The very important point he proposes in criticizing the human states is that in those states, and even in the human laws, what is the criterion is the personal interests. Exactly from this viewpoint, the discussion on the interference in personal life and private sphere begins. Thus, in his view, the ruler who enacts laws must be someone who is able to consider the interests of all people.

It may be said that what he has referred to here is somehow similar to the discussion of "the original position" and "the veil of ignorance" put forward by the contemporary political philosopher John Rawls in his discussion on justice. By the original position, he means the assumed and ideal position during which the principles of justice are chosen. That position must be able to resolve the problems through agreement and secure that a fair agreement is formed. Rawls assumes that the imaginary parties to a contract are profiteers and are just committed to maximizing their abilities for pursuing their goals. However, it assumes that they act rationally and are able to perceive the relationship between the means and the goal, know what conditions make achieving their goals possible and what conditions hinder achieving them. In effect, it is for the opposing interests of the rational and profiteering individuals that justice must reconcile them fairly. To make this possible, Rawls puts forward the idea of "veil of ignorance". Veil of ignorance means that "nobody knows his position in the society, and his social class and status; and that he does not know his share of natural blessings and capacities, intelligence, power and other things. The two parties of the contract do not even know what the concept of good is, and what their psychological desire is" (Lessnoff, 1999, p. 370). In Imam Khomeini's view, what is prominently considered in the common states in human societies is considering the personal interests. Thus, the one who becomes responsible for the state, especially in legislation, must not consider his own personal interests. According to the same reasoning, Imam Khomeini maintains that state does initially belong to God and the prophets and that nobody is allowed, because of what was mentioned above, to establish state

and legislation system. Besides, he puts forward the idea of humans' deficiency in having a good command of all aspects of life and their possibility in making mistakes. Therefore, the ruler must be someone who completely dominates all aspects of the society with no error.

In addition, another condition is added to the necessary conditions for establishing the Islamic state, and that is the state's independence of foreign states and its being free from yielding to them. Indeed, the state that takes over the people's affairs from the Islamic viewpoint must not be subordinated to foreigners. This condition is, of course, a critique to the 1st Pahlavi, which was seriously propounded in the period when Imam Khomeini's *Kashf al-Asrār* was written (Imam Khomeini, n.d., p. 182). Besides, Imam Khomeini has criticized *passim* in that book the state of the 1st Pahlavi, and this was one reason why that book was not allowed to be published later on. For Imam Khomeini, thus, not being subordinated to foreign states is also a qualification for the state; but the point that there may be, among the human states, a state free from errors needs contemplation. The result of such a view may be said to be resistance and freedom. In fact, the Islamic state cannot rely on foreign powers for realizing the Islamic values, or make use of any means to further the society's affairs. Consequently, what is of importance is how to obtain necessary tools for achieving that result. Therefore, in this view, the goal does not justify the means; rather, the means – as Imam Mūsā Ṣadr indicates – is itself a part of the goal; and one cannot achieve an honorable goal by using dishonorable means (Ṣadr, 1396 SH, vol. 12, p. 55).

The important point in Imam Khomeini's speeches is the justification of legislation that must be performed by qualified person or persons, and not all people can do legislation. Imam Khomeini's reasoning is that God has created the universe and the human on the basis of "wisdom" and that He knows all human's faculties and features; thus, enacting just laws and governing is up to God Himself or His representative. Therefore, the comprehensiveness of the divine laws as well as the political and judicial laws is emphasized. For Imam Khomeini, establishing the state – under the Prophet and the Imams – is up to them according to the divine ordinance

(Imam Khomeini, n.d., p. 184). However, in answering the question of "who is qualified to manage the public affairs in the Occultation Period?" he comments that establishing the state is up to the jurist (Imam Khomeini, n.d., p. 185). Of course, this does not mean that all *mujtahids* (expert in legal reasoning) can enforce authority and form state; rather, Imam Khomeini himself refers to and discusses the jurists' disagreements on issues such as "having or lacking authority" and "limits of authority and the scope of state".

After all, Imam Khomeini questions the legitimacy of the despotic state and considers it oppressive. In this regard, he asserts that "we consider the dictator state as oppressive and their agents as oppressors" (Imam Khomeini, n.d., p. 239). For him, as emphasized elsewhere, the state that does its duties and there is no oppression in it is supported: "if the state is dutiful and its organs are formed according to the Islamic state, the personnel are dutiful with no robbery or bootlegging, and they behave according to the Islamic law, neither the state is oppressive nor have the personnel assisted the oppressors" (Imam Khomeini, n.d., p. 239).

Therefore, the very important criterion suggested by Imam Khomeini can be considered as a basis, and that is 'oppression'. In that case, if the state organs block the way of oppressing and the state as well as its agents and personnel do not oppress people, then – according to Imam Khomeini – one can say that the state is somewhat legitimate. Such a view makes Imam Khomeini close to Ayatollah Nāʾīnī and his theory of *qadr-i maqdūr* (the possible measure) as well as the discussion of reducing oppression in the Constitutional State. Indeed, since Ayatollah Nāʾīnī confirms Constitutionalism with such a view, one can say that Imam Khomeini's view in *Kahsf al-Asrār* has come close to acceptance of the Constitutional State. This is because according to Nāʾīnī's argument, there is less oppression in such a state, and the state and its agents do their duties; so, presence in the state's organs is not naturally helping the oppression. Thus, such statements can be regarded as confirmation of the state originated from the Constitutionalist Movement. Of course, there are also other discussions in Imam Khomeini's *Kashf al-Asrār* that can be regarded as opinions approaching him to Ayatollah Nāʾīnī's view

and acceptance of Constitutional state.

The above discussion can be continued, because we know that Imam Khomeini's disagreement with sultanate and royal system is definite, and the evidences for this are traceable in his works from *Kashf al-Asrār* to his later works. As to the acceptance of Constitutionalism, it is worth mentioning that although it is in line with reduction of oppression, it can be included in the thinking system of Imam Khomeini, for this political structure is anyway defined under the royal system, which is definitely rejected by Imam. Thus, it seems that in spite of the initial evidences for the closeness of Imam Khomeini's view and that of Ayatollah Na'inī, one may not find strong evidences – on the basis of Imam Khomeini's views explicitly stated in his *Kashf al-Asrār* – for his acceptance of Constitutional state.

Anyway, what is important is that according to Imam Khomeini's view, not only the state is necessary but also the agents and persons who are seeking to enforce divine laws, do not pursue their own interests, are not subordinate to foreign powers, and do not yield to foreigners. Accordingly, one can say that most thinkers of the transcendental philosophy agree with him. Besides, in his book entitled *Wilāyat al-Faqīh*, he mentions the reasons for the necessity of a religious state in detail. Thus, his demands are fulfilled to the extent that the state does its duty in giving service to people. However, this does not mean the legitimacy of sultanate system in Imam Khomeini's thought. Nevertheless, a state would be legitimate and acceptable to the extent it grants services to the people.

2. The relationships between the religion and the state

In Mullā Ṣadrā's view, politics is the regulation of the minor affairs. Thus, politics is the most available aspect of the worldly life. Indeed, one may say that in Mullā Ṣadrā's view, politics is the regulation of the life. Therefore, in his view, politics and state are present before *Sharī'a*. In other words, when the state's policies regulates the minor affairs of the public sphere and organizes the material aspect of the people's life, *Sharī'a* comes in. This can be regarded as meaning that the presence of *Sharī'a* in the society depends

on conditions that the state's policies must prepare. Another theme is present in the religious doctrines from the same viewpoint in which poverty has been regarded equal to infidelity; or it is said that a hungry person lacks faith. There may be some individuals who have leanings towards religion due to its transcendental point which is promotion of justice and struggling with oppression. This is a sign that some preliminary measures must be taken for the presence of religion in the public sphere, and there is no possibility for the social presence of religion until those conditions are realized. It may seem that such a view of the relationship between religion and state – considering the conditions of the emergence of religion under the Prophet – is not right; and that before establishing a state, the Prophet was seeking to explain and promote religion. But one can well say that the success of religion was secured and fixed when the Prophet could establish a state and thereby created the supportive tools for himself. As one can find out by investigating the history of religions, the religions have not been able to obtain social credit unless they had obtained the support of the states. However, this must not be interpreted as meaning that the religions may be promoted and even imposed through stateal tools; rather, it means that the state can use its own tools to enforce the religious ordinances, especially that Islam is basically a social religion and requires a social and political headquarter for its realization.

Accordingly, we must change our interpretation of the meaning of religion. In that case, religion would mean the law and show the human's path in life. That we take religion and *Sharīʿa* as the law is documented in the works written by the philosophers of the transcendental philosophy as well. Thus, religion provides 'law' for a reasonable life in society. Mullā Ṣadrā, therefore, considers religion as the resolution of disputes and hostilities in society, which is – of course – based on the religious doctrines offered by the Legislator and the Prophet. Thus, the society wherein religion and *Sharīʿa* are present shows that the level of politicizing of the society members is in such a level that the presence of *Sharīʿa* is felt. In other words, a consistent community has been formed which requires certain policies.

As the thinkers of the transcendental philosophy have stressed, policy is the regulation and organization of the society. *Sharīʿa*, however, takes over the responsibility of directing human's life and stating the goals of the transcendental living in addition to resolving the disputes and hostilities, and attempts to promote human's life and make him closer to felicity. Felicity in the sense stated in transcendental philosophy considers both the worldly dimensions and the spiritual dimensions simultaneously, trying to say that felicity is attained through efforts and volitional substantial motion. The important point is that, according to Mullā Ṣadrā's view, felicity must be attained in this world and the path to constructing one's tomorrow and the hereafter life passes through this world. In 'Allāma Jawādī Āmulī's words, the Paradise is constructed in this world (Jawādī Āmulī, 1387 SH, p. 111).

In Mullā Ṣadrā's view, it seems as if the worldly part of felicity must be completed by politics, and the general role of politics in any society is to enrich people in their worldly dimension. Nevertheless, as Mullā Ṣadrā explicitly says, *Sharīʿa* comes in afterwards and begins directing one's life in the direction of otherworldly felicity. This is while, as we mentioned before, one of the principal and fundamental functions of religion is resolving disputes and removing hostilities whose worldly dimensions and consequences are clearly known. However, if we consider this latter part of religion's interference in politics – i.e. resolving disputes and removing hostilities – *Sharīʿa* strongly interferes in the state and does not come at the end of politics; rather, it comes amid the politicizing and political measures, helping in modifying policies and continuing policy-making.

Considering what is discussed regarding the 'time' in the transcendental philosophy, we can find out that it is the human's mind that creates policy. Indeed, the mind devises a plan – by delineating the past events and its ideals and aspirations – in the light of which the policy is created. In this sense, policy is a collection of tactics and means that organize the human society and direct humans towards their destiny. Thus, Mullā Ṣadrā maintains in his *al-Shawāhid ar-Rubūbiyya* that the body is a roadster which must take the soul to its destiny (Mullā Ṣadrā, 1385 SH, p. 494). Therefore, it has the role of a

device that must be considered. Besides, the nature and the world are as a vessel wherein an individual must make his hereafter in his lifetime through providence.

Perhaps one can say that politics pertains to thought and opinion. Thus, it must be subject to *Sharīʿa*. Indeed, *Sharīʿa* determines the action plan for politics, and politics enforces that plan. In a sense, one can say – according to Mullā Ṣadrā – that the politics is the vehicle of *Sharīʿa*, just as it is asserted in the transcendental philosophy that the body is the vehicle of the soul. In this way, there is a strong relationship between them, and their separation can have harmful consequences for the society.

Apart from what Mullā Ṣadrā has stated on the relationship between *Sharīʿa* and politics in his *al-Shawāhid ar-Rubūbiyya* in detail and in his *al-Mazāhir al-Ilāhiyya* in short (see Lakzaei, 1391 SH), this discussion is referred to in the relationship between the body and the soul. Imam Khomeini is among the philosophers who have made use of this relationship for their view of religion and politics as well as the clergy and the state. He has put forward this discussion in his *Kashf al-Asrār*. There, he has used the example of the head and the body as well as the eye and the foot. For example, in one occasion, he has said on the separation between the clergy and the state: "the separation between the clergy and the state is like the separation of the head from the body. The state loses, with that separation, the independence and the domestic and foreign security, and the clergy's position is weakened" (Imam Khomeini, n.d., p. 208). Indeed, the religion and the clergy as the head and the state as the body interact and further the society's affairs while completing one another. Imam Khomeini's description of the relationship between the clergy and the state is a vivid one, because he uses the metaphor of head and body whose separation is impossible without dying. This is while Mullā Ṣadrā uses the metaphor of the slave and the master in his discussion of the relationship between *Sharīʿa* and politics. Here, the religion is the master and the politics is the slave who must always obey the religion. Although Mullā Ṣadrā refers to four distinctions between *Sharīʿa* and politics, it seems that Imam Khomeini's metaphor for the clergy-state

relationship speaks somehow of the complexity of the religion-politics relationship which is not – like the master-slave relationship – a one-way relationship. In that metaphor, the eye and the foot each has its own specific function. Consequently, the foot walks and the eye sees. The head also plays its role as the commander who manages the body, and the body serves as a tool for the head. This is while in the master-slave relationship, the master commands and the slave obeys, and there seems to be no mutual relationship. Indeed, one can easily imagine the separation between the master and the slave. Besides, the slave can disobey his master's commands, while the head and body or the eye and foot are not so, and one cannot imagine a mutual relationship between them.

Therefore, it seems that Imam Khomeini's discussion in explaining the religion-state arrangements is of greater importance and considers a more and broader presence for people. Besides, Imam Khomeini's explanation of the *Sharī'a*-politics relationship using the head, body, eye and foot seems to lack the value element, and each occupies its own place, playing its role naturally and really. Indeed, each of the aforementioned elements has a function that must be considered in its own place. One cannot imagine a [living] body without a head. Thus, one must not say that the end of politics is the beginning of *Sharī'a*, because *Sharī'a* is present along with politics, dealing with resolution of disputes and removal of hostilities.

Besides, the interaction of these elements and gathering of the forces can have more effects, each of which is worth noting. Thus, Imam Khomeini, in a critique to Pahlavi state's performance which he mentions as one of the mistakes of that state, says Pahlavi tries to hinder the clerics' influence among the people and make them pessimistic about the clerics. This, for Imam Khomeini, means separation between the spiritual forces (religion/clergy) and the material forces (state/ politics) (Imam Khomeini, n.d., p. 190). Therefore, he attempts to repair the situation and reestablish the relationship between spirit and matter or religion and state so that the society can be directed towards the desirable situation. Elsewhere, however, Imam Khomeini uses the metaphor of the head and body in explaining the

relationship between the executive power and the legislative power or legislature. From this viewpoint, the legislative branch of the state is more important than its executive branch. Indeed, the executive branch must follow and enforce the laws enacted in the legislature. From this viewpoint, the politics and *Sharīʿa* are together, and the image of "end of politics is the start of *Sharīʿa*" will be out of mind. This discussion is noteworthy especially in view of the fact that Imam Khomeini lays stress on the qualification of the legislators. In general, the simile and metaphor of the eye and leg, spirit and body, or head and body are used in Imam Khomeini's works for the relationship between religion and state as well as clerics and politics. Meanwhile, he uses this example for the legislative and executive branches of state to emphasize that these two branches much go hand in hand; otherwise, one cannot expect the society to go further and arrive at its destiny (Imam Khomeini, n.d., p. 213). Here, by legislative power, Imam Khomeini means playing the spiritual and strategic role and by the executive power, he means playing the operational, executive and material role (Imam Khomeini, n.d., p. 213).

The very important point is the following question: "How is the religion and what we expect from it delineated in this view?" The answer is that this view has explicitly stated its expectation from religion. Therefore, this view leads to creation of a social status for religion and does not reduce it to individual restricted views. It is from this viewpoint that Imam Khomeini maintains that: "religion has come to organize state, country and life" (Imam Khomeini, n.d., p. 236). He continues by asking the following question: "Which religious law opposes the country and the life?"

In this regard, however, Imam Mūsā Ṣadr has presnetd discussions in more detail. He expects religion to help the society's solidarity and coordination. Indeed, if religion cannot afford to bring about social coordination, it will seem to have no right function in the society and must be behaved in another way (See Ṣadr, 1397 SH). In this way, a direct social expectation is put on the religion's shoulder and it must have a serious and effective presence in the society and be able to affect people's condition of

life and their way of living. Accordingly, in addition to resolving disputes and hostilities, creating solidarity is among the religion's functions. This task – which Imam Mūsā Ṣadr expects religion to perform in the society – is expected by Mullā Ṣadrā to be done by "affection".

In his treatise entitled *al-Maẓāhir al-Ilāhiyya*, Mullā Ṣadrā mentions the distinctions between *Sharīʿa*, prophethood and politics. What he refers to here is much more concise than what he has dealt with in his book entitled *al-Shawāhid ar-Rubūbiyya fil-Manāhij al-Sulūkiyya*. Indeed, one of the reasons for summarizing the discussion in *al-Maẓāhir al-Ilāhiyya* is the aforementioned point: here, Mullā Ṣadrā is not seeking to discuss about *Sharīʿa* and politics; rather, he has attempted – in proportion to discussion on obliging the follower to worshipping and obedience – to state the justificatory reasons of this view. Accordingly, unlike *al-Shawāhid ar-Rubūbiyya fil-Manāhij al-Sulūkiyya*, here he only mentions two distinctions between *Sharīʿa*, politics and prophethood, i.e. the distinction in view of activity and passivity; and he does not refer to the two distinctions in the origin and destiny explicitly stated in *al-Shawāhid ar-Rubūbiyya*. In stating the relationship between the prophethood and *Sharīʿa*, Mullā Ṣadrā writes: "the relationship between the prophethood and *Sharīʿa* is like the relationship between the soul and the body wherein the soul resides" (Mullā Ṣadrā Shīrāzī, 13264 SH, p. 114). However, as I have mentioned elsewhere, Mullā Ṣadrā's words are unfinished here, because he speaks of three circles of prophethood, *Sharīʿa* and politics. In this regard, as I have mentioned in my book entitled *Falsafayi Siyāsī-i Ṣadr al-Mutʿallihīn* (= Mullā Ṣadrā's political philosophy), Mullā Hādī Sabziwārī's annotations have added a fourth circle to those three circles, and that is the state. Indeed, one must speak of the relationship between four items: prophethood, *Sharīʿa*, politics and state. Just as the prophethood is the soul of *Sharīʿa*, one can say the state is the soul of the politics. In general, however, *Sharīʿa* is considered the soul of the politics as well; and in Mullā Ṣadrā's view, one cannot imagine a politics without *Sharīʿa*. Nevertheless, in spite of the analysis I have presented in *Falsafayi Siyāsī-i Ṣadr al-Mutʿallihīn*, the discussion seems to be incomplete.

In addition, Mullā Ṣadrā has explicitly stated – both in *al-Shawāhid ar-Rubūbiyya* and in *al-Mazāhir al-Ilāhiyya* that he has quoted this from Plato. Anyway, there is a view that Mullā Ṣadrā sees the prophethood and *Sharīʿa* in one line, which forms the soul of the politics as a result.

Mullā Ṣadrā explains that some philosophers have maintained that there is no difference between *Sharīʿa* and politics, while he quotes Plato – in *The Laws* – that they are false, and there are distinctions between *Sharīʿa* and politics from two viewpoints of activity and passivity:

Difference in activity mode: the difference between *Sharīʿa* and politics in activity mode is that the actions of politics are partial and incomplete and gain perfection and survival through *Sharīʿa*; however, the actions of *Sharīʿa* are general and complete with no need to politics (Ṣadrud-dīn Shīrāzī, 1364 SH, p. 114).

Difference in passivity mode: the difference between *Sharīʿa* and politics in passivity mode is that *Sharīʿa* is necessary for and inseparable from the pious person but politics is separate from the politician's essence. For instance, *Sharīʿa* orders the person to say prayers and fast. If the person accepts and acts accordingly, the benefits come directly to him. The politics, however, orders the person to appear in dressy and luxurious clothes; and it is clearly for attracting the visitors not for the person wearing them (Mullā Ṣadrā Shīrāzī, 1364 SH, p. 114).

The contents cited from *al-Mazāhir al-Ilāhiyya* treatise are not different from those cited from what he has stated in *al-Shawāhid ar-Rubūbiyya*, except that he has mentioned four differences between *Sharīʿa* and politics in *al-Shawāhid ar-Rubūbiyya*, and referred to the difference between the origin and destiny, which seem to be even more important. However, he has paid attention to the difference between these two from the viewpoint of activity mode, and we can say that he has spoken of the dependence of politics on *Sharīʿa*. There, he has discussed the two differences between the origin and destiny in more detail and here, he has dealt with the distinction between the activity and the passivity modes in short. Of course, it is noteworthy that he does not consider those two equal and does not regard them distinct. Indeed,

some may speak of the sameness of the politics and *Sharīʿa*, but Mullā Ṣadrā does not believe so.

Anyway, politics – in Mullā Ṣadrā's words – deals with minor affairs. This notion of politics is mentioned by Mullā Ṣadrā in stating the distinctions of *Sharīʿa* and politics; and it seems here is the only place wherein Mullā Ṣadrā defines politics. For him, therefore, politics means dealing with the minor affairs of the social human life, and – in one sense – it means organizing the human society. Thus, one can say the most important function of the state is organizing the public affairs of the society. Therefore, politics must deal with the details of human life and provide the basic necessities of the society. Accordingly, Mullā Ṣadrā considers *Sharīʿa* after the politics and maintains that *Sharīʿa* arrives after the politics, and it is when the politics has managed to fulfill an important part of the human's basic needs. Then, *Sharīʿa* comes after it and takes measures wherein the human's spiritual promotion is manifested. Thus, the state is expected to organize all human's material and necessary affairs. Then, it comes to *Sharīʿa*'s turn. This is, of course, analyzable on the basis of Mullā Ṣadrā's philosophical discussions. When he speaks of the soul's physical origination and spiritual survival, his idea is somehow manifested in politics as well. Thus, first the politics is formed and deals with the organizing public life, and then the stage of human's spiritual promotion starts with *Sharīʿa*.

One. The negative aspects of state

The negative aspects of state has been importantly explored and criticized by the thinkers of the transcendental philosophy. Among them is Mullā Ṣadrā who speaks – in the first *Mazhar* from the second part of *al-Mazāhir al-Ilāhiya* treatise, in his discussion on the soul and modifying it with witnessing – of a very important point that can show hypocrisy in ruling and social life are severely renounced and undesirable. Under the discussion on reincarnation, he mentions a hadith from the Prophet regarding some people who "are apparently brothers and inwardly hostile; their tongues are sweeter than honey and their hearts are more bitter than gentian root. Their hearts are

like the wolves' hearts [in atrocity], and they wear lambskin for people (They are the wolves in sheep's clothing)" (Mullā Ṣadrā Shīrāzī, 1364 SH, p. 69). In this saying, indeed, Mullā Ṣadrā, while rejecting reincarnation, maintains that in some cases, "it is the metamorphosis of the inwards that someone's heart is the wolf's heart and his face is the human's face" (Mullā Ṣadrā Shīrāzī, 1364 SH, p. 69). Therefore, the worst thing one can imagine in a state is that people think the statesmen are supporting their lives, properties and honor, while those statesmen think differently. Thus, from this viewpoint, honesty is an important page in the Islamic state and is the criterion for the moral health of the Islamic state and society.

One may say that, from another perspective, such discussions can be considered as a discussion in the political morality, but such a vicious political morality is a sign of a society nurtured in this way and its people cannot express their real emotions due to various reasons including the emergence of despotism, absolutist state, and fear of telling one's ideas. Consequently, some form of duality is seen in the individuals' language, behavior and performance in private and public circles. Therefore, Mullā Ṣadrā – in line with a group of people of intuition and adherents of various religions and denominations – speak of the true reincarnation. Indeed, when the society behaves dually, it has been involved in true metamorphosis: "the true reincarnation for the people of intuition and the adherents of religions and denominations is the metamorphosis of the inward and change in the outward from one's face to a face with which the inward is – because of the dominion of sensual faculties – suitable or proper, to the extent that the temperament and form of both is changed into a form appropriate for that animal trait" (Mullā Ṣadrā Shīrāzī, 1364 SH, p. 69). Thus, the existence of such a society cannot be desirable, and naturally the state must counter such phenomena, preparing favorable social conditions. Of course, as mentioned before, it is sometimes possible that the state itself has caused such a situation due to deviations; thus, the state must undergo reformation. Honesty in the society goes back to the same issue; the more honesty is there

in a society, the more it is far from reincarnation, and the more honesty is hidden in a society, the more reincarnation occurs. Imam Mūsā Ṣadr considers honesty as the 'source of goodness' (Ṣadr, 1396 SH, vol. 2, p. 449) and stresses on honesty in the society and among people and the rulers. Indeed, what validates the trust between people and state is 'honesty'. Apart from the abovementioned view, Imam Khomeini mentions another aspect of the state in the Occultation Period and sets a criterion for the state, and that is 'oppression'. Indeed, if the state acts according to the vicious political morality, it is undesirable and makes itself illegitimate. Similarly, if it acts upon oppression, it is illegitimate again. According to Imam Khomeini's view, what causes the state to exit from the state of oppression is 'non-oppression'. In his words, the sense and reason dictate if the state acts upon its duty, it is non-oppressive; but if it does not do its duty, it is oppressive. From this perspective, the legitimate state is the state that performs its own duty. Therefore, in the Occultation Period, the states must act upon their essential duties for people and society not to be considered oppressive (Imam Khomeini, n.d., p. 221). By putting forward this criterion, he concludes that the common states of the world have not been formed on the basis of justice and, accordingly, one can consider them as oppressive (Imam Khomeini, n.d., pp. 221-222). He compares this with "Hitlerian Creed" (Imam Khomeini, n.d., p. 222) who did not believe in any limits, did not observe justice, and transgress others' rights. Therefore, in addition to honesty and sincerity, justice can be considered as a moral criterion for desirability and undesirability of the Islamic state and society. In one sense, if justice dominates, honesty would be also running in the society, and the statesmen would also enjoy it.

With the descriptions and positions stated for the scholars by Mullā Ṣadrā, Imam Khomeini enters the social and more objective issues. In *Kashf al-Asrār*, Imam Khomeini explicitly puts forward discussions that refer to the social and political role of the jurist in the Occultation Period. In one occasion, he emphasizes the jurist's supervision and writes: "as we stated

before, we do not say that the state must be under the jurist; rather, we say that the state must be managed with the divine law which is the good of people and country; and this is not done without the spiritual supervision, just as the Constitutional state has also enacted and affirmed this" (Imam Khomeini, n.d., p. 222). This leads, on the one hand, to the closeness of the people and the state, on the other hand, causes the independence and grandeur of the country to increase (Imam Khomeini, n.d., p. 222). Therefore, he asserts the negation of the absolute state and absolute state (Imam Khomeini, n.d., p. 227). Here, 'absolute' refers to the politically absolute.

Two. The people's importance, status and role

One of the very important discussions in the contemporary era pertains to the people's role and status in the state. As to the people's role and effect, some may think that the transcendental philosophy does not deal with people's role and status. Although such a proposition is merely a claim with no reasoning supporting it, the authoritative view existing in this philosophy is adduced as the evidence for this discussion. This is while according to the discussions of the transcendental philosophy, the human is not considered a fixed and static being with no motion and no ability to establish his own way of life. As mentioned before, the man intended in the transcendental philosophy is in the state of continuous and perpetual 'becoming' which enjoys dynamism and renewal. If such an interpretation of human being is accepted, one can say he has a role and effect in the individual and social spheres, without reducing the role and power of the state. In fact, the state's power arises from the human's power and inquiry manifested and erupted. In addition, the discussion on the physical origination of human's soul has also established such a view and emphasizes that human's motion is in a clear track which strongly distinguishes him from other animals.

Anyway, one can speak of the people's role and their high status in the society. In fact, all the mechanisms shaped in the state must be done through the people's presence and participation. The power of the statesmen is also

based on the people's support and presence. This point has been considered both in Mullā Ṣadrā's discussions and, in the contemporary era, in Imam Khomeini's opinions and that of other adherents of transcendental philosophy. If Mullā Ṣadrā speaks of the ineffectiveness of the social aspects of the highly-qualified leader in the absence of people (See Ṣadrud-dīn Shīrāzī, 1371 SH), Imam Khomeini also – following him – regards people's vote as the criterion (Imam Khomeini, 1387 SH, vol. 8, p. 173), and Ayatollah Jawādī Āmulī speaks of the necessity of the ruler's consultation with the elites and experts about the management of the country's affairs (Jawādī Āmulī, 1379 SH) and, somehow, ties the legitimacy of the ruler to those specialized consultations which leads – to a large extent – to the expansion of people's role and the elites' influence; and Master Muṭahharī asserts the people's role in choosing the president by the people and transitory nature of leadership period with Islamic content (Muṭahharī, 1374 SH, p. 80) in which case, the people's role, presence and participation seems to be considered very bold. In addition, in Ayatollah Jawādī's view, people are considered the pillars of the tent of politics (Jawādī Āmulī, 1393 SH), and those pillars are not to be slant or frail.

Anyway, if we consider the authoritarian view expressed in some of the opinions, this authoritarianism does not mean, according to the viewpoint of the adherents of transcendental philosophy, no need to people and their absence in the social and political scenes; rather, it must be said that the social, political, cultural and economic scenes become meaningful with people's effective presence, and without them, it is impossible in view of the discussions and principles of the transcendental philosophy. This, however, has not been ignored by Mullā Ṣadrā, because Imam's power and the power of the political agent are granted to them by people, although the conditions of Imam and the ruler have been emphasized and confirmed by the religious authorities. Accordingly, obliging people to accept the state and its decision is not legitimate, and the state will be legitimate when the people accept it. With such a look, there emerges a large space for all people's activities in the public sphere and they make the state's plans realize in the public sphere, which are in effect their own request and demand, helping the public

movement in accordance with their own goals. If there is no such presence and movement, we will observe the gap between the people and the state. If we speak on the basis of Mullā Ṣadrā's view, there emerges a distance between the body and the soul of the society and the state's plans – which may be to the benefit of people and enacted for their welfare and peace – would not go forward.

In this situation, what can help such a society is the spread of a view which maintains that the people's confidence has been hurt and must be remedied in a right way. Respect and confidence are most important, which has not been ignored by some contemporary Muslim thinkers in the desirable rule. Imam Mūsā Ṣadr mentions confidence and respect among the desirable conditions of a dialogue and, accordingly, a desirable society. If such a condition governs the society, people would be aware of their role and the society's affairs would go in a right direction. Thus, one must say, with no exaggeration, that the state – whether based on the religious teachings or not – is basically meaningless without people. Accordingly, preserving and continuing it would be meaningless without people's support and presence. Thus, the people's role and presence is taken very serious and important in transcendental philosophy. It can be said that the more people's presence is serious and effective, the stronger the pillars of state will be. Therefore, any distance created between people and state will cause people to get away from the state. In that case, the trust, confidence and honesty between people and state would be in the lowest level.

Imam Khomeini's wording in the ten-year period of his leadership is full of admonition and warning about that position and presence. Of course, Ayatollah Jawādī Āmulī has referred to it with another wording. For him, people are the pillars of the tent of politics and political system, and any action that helps the wavering of the pillars is in effect considered as leading to breakup of the society. He refers, in stressing on such a view, to some hadiths of Imams and strengthens his words with the religious teachings. Before him, Mullā Ṣadrā confirms this view in another way, and brings forth the discussion of legitimacy to show his perception of people's role. He

refers to the metaphor of 'physician' – also mentioned in the viewpoint of other Muslim thinkers – to state that a society may have skillful physician or physicians, but people may be deprived of his expertise and knowledge (See Şadrud-dīn Shīrāzī, 1371 SH). Therefore, a society may have righteous individuals deserving rulership, but people may have no leaning towards him and the society may deprive itself from the services of those individuals. However, it is emphasized that people must freely choose and participate in the public sphere. Nevertheless, if a qualified individual is accepted by people, again their role and effectiveness is not ended, and they must have always a more effective presence in supervision. Indeed, neither do people stop their reasoning nor they stop the supervisory tools. Rather, they are obliged to keep on their continuous presence and supervision in the public sphere.

Anyway, according to the soul's physical origination, we must say that the society without the desirable conditions would have the same policy. In that case, we cannot expect a virtuous policy from a society without virtues. This viewpoint has been more explicitly stated in Ayatollah Jawādī Āmulī's expressions, because he believes that "the transcendental politics is specified to really humane societies" (Jawādī Āmulī, 1387 SH, p. 90), just as the moral and spiritual politics also arise from the moral and spiritual society. Therefore, we may say that the people's role in transcendental philosophy is bold and effective. Naturally, we cannot direct the society towards virtues and make a virtuous society by force. The society itself must demand virtues and move towards them freely, just as Iranian society did in its public movement in 1979 Revolution as well as the eight-year war imposed by Iraq, playing an important role in those spheres with the people's voluntary presence.

We may say one of the reasons why Mullā Şadrā left the society was that the society was not able to accompany his intellectual and cultural new-thinking. Therefore, considering the pressures on him, he went on to an involuntary migration and exile in order to create new spaces. This is while Imam Khomeini – with people's widespread and voluntary accompaniment as well as their revolutionary confrontation – caused the fall of Pahlavi's political system after fifteen years of exile and being away from his

homeland. In fact, the important point in Imam Khomeini's success and Mullā Ṣadrā's failure, and even the failure of other transcendental philosophers – considering the conditions of the time – must be considered in view of people's presence and accompaniment or lack of their accompaniment. Therefore, although Mullā Ṣadrā in some of his works such as *Risāla Si Aṣl*, *Kasr Aṣnām al-Jāhiliyya*, introduction to *Asfār Arbaʿa*, *Īqāz al-Nāʾimīn*, etc. has complained of the conditions of the time and criticizes in the existing conditions, but since those complaints are not completed by the waves of people's accompaniment and presence, his thought remains hidden and finds no strength for causing movements.

It is also noteworthy that according to Imam Khomeini's view, the state cannot function without people's accompaniment: "the state cannot defend its country with people's lacerated hearts" (Imam Khomeini, n.d., p. 189). Accordingly, indeed, people's presence and participation and their playing role in the state can mean that their role in state is much important and prominent. In fact, some affairs are not possible without people's presence and accompaniment. One of them is 'defending their homeland'; and if people do not accompany, the state cannot resist. As we recall, in the past eras and even in the contemporary period when the Allied Forces entered Iran, the state could not take any measure with the large number of its military forces, unlike the eight-year period of Sacred Defense against Saddam Hussein's regime when the Iranian state could protect well its borders and did not allow enemy to seize any part of its lands.

In addition, as mentioned before, Ayatollah Jawādī Āmulī has considered the presence of people in the state and their role in the public sphere and in the state as the pillar of the regime and emphasized that role. This emphasis is much important and shows the people's weight and credit in establishing the state in transcendental philosophers' view, just as Mullā Ṣadrā has referred to the simile of the physician and people's not referring to him, regarding the people's non-presence as leading to no realization of medicine. But if the people are present in the scene and participate, medicine is realized and the physician can do his duty according to what he has learned.

Conclusion

In the present article, we discussed some of the features of the state from the viewpoint of some transcendental philosophers and considered discussions such as the rational necessity of state, the relationship between religion/*Sharīʿa* and state/ politics, speaking of some features of the undesirable state as well as the people's status and role. In this article, indeed, we explored the state according to Mullā Ṣadrā's view in the initial pages of his *Aṣfār Arbaʿa* wherein he regards 'philosophy' as organizing the subsistence system and rescuing the resurrection, and that issue was seriously investigated from the perspective of the state and its role in society and its construction. The most important axes discussed include: the rational necessity of the state, the relationship between the religion and the state, the undesirable state and the people's status and role. The last section, however, was discussed in detail from the viewpoint of transcendental philosophers and we referred to the ideas of some of those philosophers who believed that people are the pillars of the tent of politics and the state, and any inattention to that role and effect causes a gap between the state and the people. In the same section, we presented some important discussions on the basis of Mullā Ṣadrā's view in suggesting three types of policies (i.e. just, authoritative, and torturing) which are called three figures of the state; then, we discussed Mullā Ṣadrā's view and that of the political transcendental philosophy of the state and its effect and interference of its various figures in the public sphere. Accordingly, it was explicitly mentioned that on the basis of three types of the state or the politics delineated by Mullā Ṣadrā, the state's most important role is delineation of just policy, exerting punitive policy and, most importantly, the authoritative policy in the sense of care and supervision in enforcing [the laws] and managing [the society]. From this perspective, it seems that the state must not have an interfering role in various sections of the society; rather, the main task of the state is supervision and care in enforcing and managing policies and decisions, and the people's ability and capacities are used in managing the society. In that case, we would observe the most popular state whose role and interference in the sphere of the public

affairs is the minimum one and it merely deals with the supervision and care as well as the fundamental policy-making and preparing the ground for desirable living with peace and welfare. In addition, this article has another turning point and that is discussion on the relationships between religion and state, which is offered using Imam Khomeini's discussions in *Kashf al-Asrār* treatise. Considering the aforementioned discussions, we can say that Imam Khomeini's discussions are in line with the discussions on the relationship between *Sharī'a* and politics offered by Mullā Ṣadrā in his *al-Shawāhid ar-Rubūbiyya fīl-Minhāj al-Sulūkiyya* and *al-Maẓāhir al-Ilāhiyya*, wherein he has more precisely distinguished politics from *Sharī'a*.

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